WOMEN ARE DIFFERENT

- *Where Do Pious Women Perform Their Salaat*
- *Women coming to the Masjid*
- *Prohibition of Women in congregation*
- *Female Leadership in Islaam*
- *Female Education*

Translated By:
Mufti Afzal Hossen Elias
(May Allah Protect him)

ZAM ZAM PUBLISHERS

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WHERE DO PIOUS WOMEN PERFORM THEIR SALAAT?

PREFACE

نحمده و نصلي علي رسوله الكريم .....أمّا بعد:

A few days prior to the first of September 1997 someone sent a question to the Daarul Iftaa at Daarul Uloom Deoband:

"What is the Shar`i ruling regarding women performing Salaat in the Masjid with congregation? Is it permissible or not? Or do the Ulama-e-Kiraam merely prohibit it because of some cogent or underlying reason?"

The Daarul Iftaa had replied to the question according to their normal practice, but it appears that this reply of theirs did not suit the needs of the questioner. Either he or someone else had edited and doctored the original fatwa and published it. In fact, they had altered the fatwa to include the word *'Haraam'*. This gave rise to a furious debate and point of discussion in the local papers.

Many people asked me regarding the ruling of whether it is Haraam or not for women to come into the Masjid. I had replied: *No! There are many instances where women come and go through the Masjid, whilst in the state of cleanliness.*

The people then asked me regarding the fatwa which prohibits women from entering the Masjid. I informed them that this fatwa relates to the five times daily Salaat and specifically to women attending the Masjid at night-time. This prohibition has been issued in order to prevent fitnah.

My 'interrogators' then stated that the Masjid is a place of sanctity and there can be no fear of fitnah therein. I informed them that the fitnah is not in the Masjid but rather

when they leave their homes and whilst they are on the road. There is especially a greater fear if the Masjid is far away and if they have to walk at night. It is also virtually impossible that each woman who attends the Masjid is able to have a *mahram* to accompany her for all Salaats.

Salaat which is a great institution in Islaam needs to be protected and safeguarded, hence this fatwa and ruling has been transmitted throughout the ages by none other than the Sahaabah (رضي الله عنهم). This is no new ruling in Islaam.

Since the original fatwa of Daarul Uloom Deoband had not been properly afforded its due justice and the people have been left in a quandary regarding its actual purport, it is only proper that we apprise the public regarding the true facts and the proper Shar`i ruling regarding this matter.

Besides the fatwa in question the Daarul Uloom had also issued another more detailed fatwa on this issue, which we deem appropriate to publish.

Besides the fataawa of the Daarul Uloom, there is an excellent treatise on this subject by Mufti Kifaayatullah Saahib Dehlwi, entitled *Salaatus Saalihaat* (the Salaat of the pious women), which we have also included in our distribution drive.

In this little booklet of ours which is now in your hands, we have firstly written the two current fatwas of Daarul Uloom Deoband and after that the treatise by Mufti Kifaayatullah Sahib.

We have entitled the entire booklet, *Where Pious Women Perform Their Salaat.*

We trust that this treatise will enlighten all the readers to properly understand the situation at hand, thereby getting a

clear understanding of the Shar`i viewpoint regarding the Salaat of women.

May Allaah Ta`ala make this booklet beneficial to all and make this a means of closing all doors to a pending fitnah.

Was Salaam

(Moulana) Marghoobur Rahmaan
Principal of Daarul Uloom Deoband
25 Jamaadul Ula 1418



THE FIRST FATWA OF DAARUL ULOOM DEOBAND

Number 680

Question: What is the Shar`i ruling regarding women performing Salaat in the Masjid with congregation? Is it permissible or not? Or do the Ulama-e-Kiraam merely prohibit it because of some cogent or underlying reason? Kindly furnish us with a detailed reply. Was Salaam

Reply (no. 527): Bismillahir Rahmaan nir Raheem

(**1**). The wife of Hadhrat Abu Humaid Sa`idi (رضي الله تعالى عنه), Hadhrat Umme Humaid (رضي الله تعالى عنها) came in the presence of Nabi (ﷺ) and asked, *"O Rasulullaah (ﷺ)! I desire to perform Salaat behind you (in congregation) in the Masjid (-e-Nabawi)."*

Nabi (ﷺ) replied, *"You desire to perform Salaat behind me, whereas your Salaat in the innermost corner of your home is better than your Salaat in your room, and your Salaat in your room is better than your Salaat in your courtyard and your Salaat in your courtyard is better than your Salaat in the Masjid of your village and your Salaat in your local Masjid is better than your Salaat in my Masjid (i.e. Masjid-e-Nabawi)."*

Thereafter she made herself a place for performing her Salaat in the darkest and innermost corner of her home. [Ahmad / Ibn Hibbaan / Ibn Khuzaima / Targheeb wa Tarheeb, page 58]

(2). Hadhrat Umme Salma (رضي الله تعالى عنها) reports that Rasulullaah (ﷺ) said, *"A woman's Salaat in the inner most corner of her house is better than her Salaat performed in her room and it is better for her to read in her room than in her veranda and it is better for her to read Salaat in her house than in her local Masjid."* [Ibid]

(3). Hadhrat Aaishah (رضي الله تعالى عنها) reports that if Rasulullaah (ﷺ) had seen the condition of the women after his

passing away then he would surely have prevented them from attending the Masjid just as the women of Bani Israeel were prevented from entering the Masjid. [Muslim Shareef, vol.1 page 183]

(4). Hadhrat Abu Amr Shaibaani (رحمه الله تعالى) reports that he personally witnessed Hadhrat Abdullah ibn Mas'ood (رضي الله تعالى عنه) ejecting women from the Masjid on the day of Jumu'ah, saying to them, *"You people go and read Salaat in your homes. Your Salaat performed at home is better for you."* [Tibraani / Majmauz Zawahid, vol.1 page 156]

All four of the above narrations are authentic and it is clear from them that although the reward of performing Salaat in Masjid-e-Nabawi is fifty thousand times greater, the Salaat of a woman performed in her local Masjid warrants greater reward for her, and her salaah performed in her own home is more rewarding than even this. Furthermore, her Salaat which she performs in the innermost corner of her house bears more reward for her than that Salaat which is performed in the veranda or any room in her house.

Added to this are the explicit prohibitions of women performing Salaat in the Masjid which is borne out by the narration of Hadhrat Aaishah (رضي الله تعالى عنها) and the action of Hadhrat Abdullah ibn Mas'ood (رضي الله تعالى عنه) where he had ejected women from Masjid-e-Nabawi.

Another point to remember is that Allaah Ta'ala has excluded women from leadership posts, Imaamat, Prophethood, Khilaafat and congregational Salaat. All these posts are exclusive to men. From these Ahaadith it is abundantly clear that Salaat in congregation has not been ordained for women, however, if a woman performs Salaat behind a man her obligation of Salaat will be fulfilled. For example the Shariah has not ordained that women go for Hajj without a mahram, but if a woman does go for Hajj without a mahram then the Fardh obligation of Hajj will be fulfilled.

Similarly if a woman attends her local Masjid for Salaat then although she will be deprived of great rewards, the obligation of Salaat will be fulfilled. The Fuqahaa have ruled that it is Makrooh-e-Tahrimi for women to attend the Masjid to perform Salaat.

Nevertheless, this prohibition has been passed so that women not be deprived of full reward. Another wisdom is that they be saved from *fitnah and fasaad* which is inherent with their emergence from the home, because as soon as a woman leaves the bastion of her home shaitaan lays in ambush and surreptitiously follows her around. This is according to the blessed words of Nabi (sallallahu alaihi wasallam).

Was-Salaam

Habeebur Rahmaan

(May Allaah Ta`ala have mercy on him)

29th Rabiuth Thaani 1418

The second detailed Fatwa of Daarul Uloom Deoband

Number 781

Question:

Is it obligatory or Sunnatul Muakkadah for women nowadays to attend a Masjid for congregational Salaat with the men? Kindly reply in the light of the Qur`aan Majeed and Hadith.

Answer [631]:

Bismillahir Rahmaanir Raheem

It is neither Fardh, Waajib, nor Sunnat-e-Muakkadah for women to attend the Masjid for the five times Salaat in congregation with men. **The fact of the matter is that there exists not even the weakest of weak Ahaadith which exhorts and encourages women to attend the Masjid.** In fact, the Shariah has not made it binding upon women to attend the Masjid like it has for men. Like it is narrated in Musnad Ahmad bin Hambal (رحمة الله تعالى) from Hadhrat Abu Hurairah (radhiallahu anhu) that Nabi (ﷺ) said, *"Had it not been for the women and children in the homes, I would establish the Esha Salaat and instruct the youth to burn down those homes of the men who are not in the Masjid."*

This Hadith clearly proves that women are not ordained by the Shariah to attend the Masjid for Salaat, otherwise they would also have been included in Nabi's (ﷺ) chastisement like the men in the aforementioned Hadith. In fact, had it not been because of them (women) and children, the houses whose male occupants do not attend the Masjid for Salaat would have been burnt down.

Also, it has been reported in many Ahaadith that the Salaat of women in the innermost corner of their houses are the best. To such an extent that Nabi (ﷺ) even stated in one

Hadith that the Salaat of women in their homes is better than their Salaat in Masjid-e-Nabawi. Ibn Khuzaimah has established a chapter specifically discussing this issue in his Saheeh, and he has made it crystal clear that the reward for Salaat performed in Masjid-e-Nabawi is reserved for men and not women. [See Ibn Khuzaima, vol. 3, page 94, chapter 177]

The reward for women is proportionate to the extent of their seclusion and concealment from men.

However there are such narrations wherein Nabi (ﷺ) said that if women request permission to attend the Masjid then they should not be prevented. There are also Ahaadith wherein Nabi (ﷺ) said that if women request attending the Musaajid at night (for Esha Salaat) then they should not be prevented. Some narrations state that when women emerge then they should not wear perfume. There are those who, when their eyes fall on such narrations, jump about and celebrate, and classify the attendance of women in the Masjid as being Sunnat-e-Muakkadah. This they do even if they do not practice upon it. **Such narrations merely grant consent and show some level of permissibility for women to attend the Masjid for Salaat.** They do not receive any special reward neither are they exhorted to attend.

This consent was also only restricted to the need of the time, so that the women also perform Salaat behind Nabi (sallallahu alayhi wasallam) and be eye-witnesses to his manner of conduct. This has been stated so in *Ash-atul Lam`aat*, the *Sharah* of Mishkaat. (This motivation - for women to attend the Masjid - no longer exists).

Now have a look at those narrations which are the cause of the majority of the Fuqahaa of Islaam ruling that women are not allowed to attend the Masjid for congregational Salaat. That is, the initial consent and permissibility that existed during sacred the era of Nabi (ﷺ) no longer exists.

In this regard, Hadhrat Aishah (رضي الله عنها) states: *"Had Nabi (ﷺ) witnessed the condition of the women (today—i.e. during her era), he would most certainly have prohibited them from the Masaajid like the women of the Bani Israeel were prohibited."* [Bukhaari Shareef]

This Hadith is accepted by all the Muhadditheen as being authentic. This makes clear that immediately after the era of Nabi (ﷺ), the condition of the women deteriorated considerably, such that if he had been alive, he would most certainly have prevented women from attending the Masjid like the women of the Bani Israeel were prevented from attending the Masaajid when the evil habits, practices and immorality became rampant.

This ruling, albeit directed at the women of the Bani Israeel, has not been abrogated in our Shariah. The prohibition of women attending the Musaajid can thus be taken to be from Allaah Ta`ala and His Rasool (ﷺ), because the present-day immorality and mischief far supersedes that of the former times. This fact cannot be disputed by anyone.

This is the very reason why the Sahaabah (رضي الله عنهم) prevented the women from attending the Musaajid, because they saw the immorality creeping in. They then, introduced the un-abrogated ruling which pertained to the women of the Bani Israeel.

Therefore the prevention of women from attending the Musaajid, which was ruled by the Sahaabah (رضي الله عنهم), was done in accordance to the desire of Allaah Ta`ala and according to the teachings of His Rasool (ﷺ).

All the four Imaams of Fiqh, all the Muhadditheen and Fuqahaa, in fact, the majority of the Ummat are unanimous that due to the present-day immorality and mischief, it is

impermissible for women to attend the Musaajid for the Fardh Salaat. And Allaah Ta`ala knows best.

Habeebur Rahmaan

(May Allaah Ta`ala have mercy on him).

17/05/1418

This Fatwa was attested to by the following Muftis:

Nizaamuddeen

Muhammad Zafeer-ud-Deen

Mahmood Bulandshari

Muhammad Abdullah Kashmeeri

Kafeel-ur-Rahmaan



THE TREATISE ON THE SALAAT OF PIOUS WOMEN

Bismillahir Rahmaanir Rahim

In Sha'baan 1334 A.H. someone presented a question to this insignificant writer asking whether it is permissible or not for women to attend lecture gatherings.

The questioner was a Hanafi, therefore we have replied in accordance to the Hanafi Math-hab. We deem the presentation of the Hanafi Fuqaha texts as being sufficient. As it is the answer is fairly lengthy. This is the reason why it has been prepared into the form of a treatise, entitled, كف المومنات عن حضور الجمعاعات "*The prohibition of women attending public lectures and gatherings.*" Haaji Abdurrahmaan Saheb has kindly printed and distributed the same [The original Urdu Kitaab was printed in 1334 A.H. and is extremely scarce. Their exists only one copy in the library of Darul Uloom Deoband – *Translator's note: The English translation of this Kitaab is presently available.*]

I would like to clarify at this juncture that I have not prepared the treatise of كف المومنات on the basis of any anmity or animosity. In fact I do not waste my time in getting myself involvled in unnecessary arguments and debates which eventually leads to animosity. I had been asked a question and simply replied it in the light of the Hanafi Math-hab citing various Hanafi references.

However today, on the 11th of Zul-Qa'dah 1334 A.H. I was made aware of a treatise entitled *Eid Ahmedi*. Its author is some Molvi Abdus Sattaar Saheb Kalaanuri, who has not only criticized and severely disparaged the author of كف المومنات, namely this humble writer, but also our great Ulama such Allaamah A'ini and other senior Hanafi Aimmah. He

accused all of them as having acted contrary to the Hadith, he claimed that they did not understand the import of the Ahaadith, that they slandered Hadhrat Aishah (radhiallahu anha), etc., etc.

All said and done, if one merely peruses the book *Eid Ahmedi* from beginning to end then you will not find any such single line or argument worthy of an intelligent reply to what we have written in كف المومنات.

Although the Ahle-Ilm regarded *Eid Ahmedi* as being worthless and not of any consideration, nevertheless, in order to save the Muslim public from being ill-informed and labour under the misconception that the Hanafi stance on the issue of the prohibition of women emerging from their homes being a baseless issue and not one enjoined by the Shariah, I deemed it appropriate to clarify this mas'alah in greater detail, by presenting clear and authentic proofs from the Ahaadith of Nabi (ﷺ), the Sahaabah (رضي الله تعالى عنهم) and the Salf-e-Saaliheen.

I had prepared this treatise in order to clarify the actual mas'alah. I have hope that the Ahle-Ilm and intelligent people benefit from it and become informed and aware of the reality.

It is clear that the Hanafi Aimmah do not dispute the fact that during the era of Rasulullaah (ﷺ) the women would attend the Masjid for the five daily Salaat and the Eid Salaat. They would announce acceptance of this fact from the rooftops. It would however not be of any benefit to debate and oppose the Hanafi Fuqaha by only citing the Ahaadith pertaining to this issue which occurred during the era of Nabi (ﷺ).

The issue at hand and the point of contention is whether this ruling still applies at this day and age or not? We have written this treaty and discussed the issue in separate chapters.

CHAPTER ONE

Has the Shariah emphasized the attendance of women for congregational Salaat as it has done for men?

There is no Hadith which can be presented that may establish congregational Salaat as being emphasized for women. We have studied and scanned through many Ahaadith Kitaabs and their commentaries and have not found any such Hadith which exhorts and emphasizes women to attend congregational Salaat.

In fact we have come across narrations which teach the contrary.

Hadith 1

Hadhrat Abu Hurairah (رضي الله تعالى عنه) reports that Rasulullaah (ﷺ) said, "***Had it not been for the women and children in the homes,*** *I would establish the Esha Salaat and instruct the youth to burn down those homes of the men who are not in the Masjid.*" [Ahmed / Mishkaat]

Nabi (ﷺ) issued this warning referring to those men who do not attend the Esha Salaat with Jamaat. Every intelligent person will understand from this Hadith that Nabi (ﷺ) was referring to only the men who do not attend congregational Salaat. The only factor preventing Nabi (ﷺ) from instructing the burning of the homes was the fact that there were women and children in the homes.

The mentioning of women by Nabi (ﷺ) in this Hadith only proves and substantiates the contention that women are not obligated by the Shariah to attend congregational Salaat. Otherwise there would have been included in Nabi's (ﷺ) chastisement.

Their presence in the home would not have been a barrier against Nabi (ﷺ) carrying out his threat. Since they are not enjoined by the Shariah to attend congregational Salaat

in the Masjid like the men, they were not regarded as offenders against the Shariah by not being in the Masjid.

Similarly, all the Ahaadith which appear in chapter two prove the point that it is not necessary or incumbent for women to attend the Masjid for congregational Salaat.



CHAPTER TWO

Is it more virtuous and rewarding for women to perform Salaat in their homes or in the Masjid?

Hadith 2

Hadhrat Umme Salmah (رضي الله تعالى عنها) reports from Nabi (ﷺ) that he said, *"The best Musaajid for women are the innermost corner of their homes."* [Imaam Ahmad / Baihaqi / Kanzul Ummaal]

Hadith 3

Hadhrat Umme Salmah (رضي الله تعالى عنها) reports that Nabi (ﷺ) said, *"A woman's Salaat in the **innermost corner** of her house is better than her Salaat performed in **her room** and it is better for her to read in her room than in **her veranda** and it is better for her to read Salaat in her house than in **her local Masjid.**"* [Tibraani / Kanzul Ummaal / Targheeb]

Hadith 4

It is reported from Umme Humaid, the wife of Abi Humaid As-Saa`idi from Nabi (ﷺ) that he said to her, *"I have been informed that you like to perform Salaat behind me, but your Salaat in **the innermost corner** of your house is better than your Salaat performed in **your room** and it is better for you to read in your room than in **your veranda** and it is better for you to read Salaat in your house than in your local Masjid and your Salaat performed in your local Masjid is better than your Salaat performed **in my Masjid.**"* [Imaam Ahmad / Ibn Hibbaan / Kanzul Ummaal]

Hadith 5

This Hadith has been cited in *Majma`uz Zawaahid* by Haithami and the following had been added: *She ordered (her house-people) to build for her a place to perform Salaat in the darkest and innermost corner of her home.*

She would perfrom her Salaat therein, until she met Allaah Ta`ala. Haithami adds, *The narrators in this Hadith are all authentic, except for Abdullaah bin Suwaid Al-Ansaari, however Ibn Hibbaan had authenticated him.*

Hadith 6

Hadhrat Abdullaah ibn Mas'ood (radhiallahu anhu) reports that Rasulullaah (sallallahu alayhi wasallam) said, *"The Salaat of women in the corner of her home is better than her Salaat in her room. And her Salaat in the chamber (smallest room) is better than her Salaat in the corner of her house."* [Abu Dawood]

Hadith 7

Hadhrat ibn Mas'ood (رضي الله عنه) states, *"The Salaat of a women in the corner of her house is better than her Salaat in her room and the Salaat in her room is better than the Salaat in the courtyard and the Salaat in her courtyard is better than the Salaat anywhere else (beyond the confines of the home)."* He further stated, *"Indeed when a women emerges from her home, shaitaan surreptitiously pursues her."* Reported by Tibraani in Kabir and all the narrators are authentic. [Majma'uz Zawaahid]

Hadith 8

It is also reported from Hadhrat Ibn Mas`ood (رضي الله عنه) that he takes an oath, a firm oath, saying, *"There is no better place to perform Salaat for a woman than the corner of her home, except Hajj and Umrah, besides for that woman who has lost hope on a husband, and she is 'munqaleen'"* someone asked him what *'munqaleen'* meant, to which he replied, *"An old, weak and stumbling woman."* Tibraani reports this narration in Kabeer and all the narrators are authentic. [Majmauz Zawaahid]

Hadith 9

Hadhrat Ibn Mas`ood (رضي الله تعالى عنه) also stated, *"No woman performs a Salaat more beloved to Allaah Ta`ala than (the Salaat which she performs) in the darkest corner of her home."* Tibraani reports this narration in Kabeer and all the narrators are authentic. [Majmauz Zawaahid]

Hadith 10

Hadhrat Abdullaah Ibn Mas`ood (رضي الله تعالى عنه) reports that Nabi (صلى الله عليه وسلم) said, *"Women are aurah (objects of concealment). Indeed when they emerge (from their homes), shaitaan (lies in ambush and) surreptitiously follows her. Indeed, she is closest to Allaah Ta`ala in the innermost corner of her home."* Tibraani reports this narration in Kabeer and all the narrators are authentic. [Majmauz Zawaahid]

Hadith 11

It has been reported from Hadhrat Abdullaah Ibn Mas`ood (رضي الله تعالى عنه) that he said, *"Indeed women are aurah. Indeed that woman who emerges from the home who has no flaw, shaitaan surreptitiously follows her, saying: 'You will not pass by anyone except that they will admire you.' When a woman dons her clothing and it is asked of her: 'Whither are you off to?' She will reply: 'I am going to visit the ill, or attend a burial or perform Salaat in the Masjid.' No woman can worship her Rabb better than in her home."* Tibraani reports this narration in Kabeer and all the narrators are authentic. [Majmauz Zawaahid]

The following salient points are clearly gleaned from the above-mentioned Ahaadith:

(1). **There is no emphasis in the Shariah for women to attend the Masjid for congregational Salaat.** In fact,

the contrary holds true that their Salaat performed at home is more virtuous. [Have a look at all the above Ahaadith.]

(2). The attendance of women in the Masjid during the era of Nabi (sallallahu alayhi wasallam) **was primarily due to consent and permissibility, and not owing to any virtue, emphasis or *istihbaab* (being Mustahab).** [Look at Hadith no. 4 and 5]

(3). Notwithstanding the consent granted to women to attend the Masjid, Nabi (ﷺ) actually **exhorted and taught that it is better and more virtuous that they perform their Salaat at their homes.** He would greatly encourage this and extol the virtues thereof. [See Hadith 4]

(4). The addition which appears in Hadith 4 by Haithami, clearly indicates that Hadhrat Umme Humaid (رضي الله تعالى عنها) practiced on the advice of Nabi (ﷺ) and performed her Salaat in the corner of her home for the rest of her life. This was true obedience to the guidance of Nabi (ﷺ) and fulfilment of his wishes.

(5). Hadith 10 clearly establishes the fact that Nabi (ﷺ) **deemed the emergence of women from their homes as an avenue and opening of *fitnah*,** and that their isolation in the innermost corners of their homes as being proximity to Allaah تبارك وتعالى. This is the reason why Hadhrat Ibn Mas`ood (رضي الله تعالى عنه) takes a firm oath that the Salaat of women in the corners of their homes is the most virtuous.

(6). The statements of Nabi (ﷺ) in Hadith 2, 3 and 4 clearly indicate that the Salaat of women in the remote corners of their homes is better than their Salaat in their rooms, and their Salaat in their rooms is better than their Salaat in their courtyards, and their Salaat in their courtyards is better than their Salaat in their local Masjid and their Salaat in their local Masjid is better than their Salaat in Masjid-e-Nabawi (ﷺ). Keeping these Ahaadith in before us, it is clear that the attendance of women for congregational Salaat in the Masjid during the era of Nabi

(ﷺ) was not due to any virtue or greater reward, rather it was based on mere consent and permissibility.

How sad then is the state of those people who call women to the Musaajid and encourage them to perform their Salaat in congregation. **They are actually exhorting opposition to the teachings and wishes of Nabi (ﷺ).** To further exacerbate the issue they deem this a Sunnat, and they regard their actions as being a revival of the Sunnat!

If it had been Sunnat for women to attend the Masjid for congregational Salaat, why then did Nabi (ﷺ) teach that a woman's Salaat in her local Masjid is better than her Salaat in Masjid-e-Nabawi and that her Salaat in her home is better than her Salaat in her local Masjid? It is obvious then that a woman's Salaat performed in isolation in her home would be an omission of the Sunnat. Is the reward in practising a Sunnat greater or omitting it? It will then be as though Nabi (ﷺ) is encouraging an omission of a Sunnat by encouraging women to perform their Salaat in their homes!

It is as though these people (who clamour for women attending the Masjid) regard themselves as being more virtuous than Nabi (ﷺ) and that their Musaajid hold greater virtue than Masjid-e-Nabawi!

(7). One Salaat performed in Masjid-e-Nabawi is, according to the narration of Hadhrat Anas (رضي الله عنه), equal to the reward of 50 000 Salaat (performed anywhere else, besides the Haram).

Hadith 12

Hadhrat Anas bin Maalik (رضي الله عنه) reports that Rasulullaah (sallallahu alayhi wasallam) said, *"The Salaat of a man in his house is equal to a single Salaat...and his Salaat in my Masjid is equal to 50 000 Salaats."* [Ibn Majah / Mishkaat Shareef]

Notwithstanding the great reward of performing Salaat in Masjid-e-Nabawi, the Salaat of women performed in their local Musaajid is more rewarding for them, and their Salaat performed in the courtyard of their homes is more rewarding than even their Salaat in their local Musaajid. Their Salaat in their rooms holds more virtue for them than their Salaat in their verandas and their Salaat in the remote corner of their homes bears more reward for them than their Salaat in their rooms.

This much is abundantly clear that as a woman sheds her concealment, her reward is proportionately decreased. Why is this?

The reason is simple – the further a woman goes from her home, the greater the possibility of fitnah increases. There is no other reason for the decrease in reward for women. Just take a look…when a man travels further from his home, his reward increases, because there is no fear of fitnah in his emergence from the home.

Hadith 13

Hadhrat Abu Moosa Ash`ari (رضي الله تعالى عنه) reports that Rasulullaah (ﷺ) said, "*Those who receive the greatest reward for their Salaat are those who travel the furthest (to the Masjid) and more than them are those who travel an even greater distance.*" [Bukhaari Shareef / Muslim Shareef]

Hadith 14

Hadhrat Jaabir (رضي الله تعالى عنه) reports that Rasulullaah (ﷺ) said to Bani Salmah who intended moving closer to the Masjid, "*Remain in your places. You are being rewarded for every step you take (towards the Masjid). Remain in your places. You are being rewarded for every step you take (towards the Masjid)…*" [Muslim Shareef]

The consent and permissibility granted to women to attend the Masjid was not without conditions. They were forbidden from wearing perfume, donning gaudy clothing, excessive jewellery, etc.
Refer to the following Ahaadith:

Hadith 15

Hadhrat Zainab Thaqafiya (رضي الله تعالى عنها) reports that Nabi (ﷺ) said, "*When a woman emerges for Esha Salaat, then she should not apply scent.*" [Ibn Hibbaan]

Hadith 16

Hadhrat Zainab Thaqafiya (رضي الله تعالى عنها) further reports that Nabi (ﷺ) said, "*When any of you women present yourself for Esha Salaat, then you should not don perfume that night.*" [Muslim]

Hadith 17

Hadhrat Zainab (رضي الله تعالى عنها), the wife of Abdullaah reports that Nabi (ﷺ) said to the women. "*When any of you present yourself in the Masjid, then you should not don perfume.*" [Muslim Shareef]

Hadith 18

Hadhrat Abu Hurairah (رضي الله تعالى عنه) reports that Rasulullaah (ﷺ) said, "*Do not prevent the female slaves of Allaah from attending the Masjids of Allaah, but they should emerge (from their homes) in the state that their bodies are pungent.*" [Abu Dawood]

The Arabic word, *tafilaat* which is used in this Hadith means unscented. A woman is described as *tafilatun* when her body exudes an unscented (pungent) odour. This has been stated by Ibn Abdil Barr, etc. Shaukaani states that the word *tafila* refers to a stench. A woman who is described as *imra`atun tafilatun* means that she is unscented. [Aunul Ma`bood]

All such factors are included under the term scented which leads to attraction, like smart gaudy clothing, external display of jewellery, and a pompous exhibition of beauty. [ibid.]

All these narration clearly show that women were permitted to attend the Masjid, provided they adhered to these conditions. It is also clear that if they do not practice on these advices they are acting contrary to the injunctions of Nabi (ﷺ).

Can it honestly be said that the women of today who may attend the Masjid for the five daily Salaat or for the Eid Salaat, would adhere to these conditions? Will they not come out in their splendour and beauty? Will they not wear and make a display of their jewellery? Will they ever be able to come in their scruffy unscented clothes?

If anyone, for argument sake, says that a woman can adhere to all these conditions, in present times, then we would kindly refer our readers to peruse chapter 3 in this treatise.

Summary

Any intelligent person who studies all these narrations will have no doubt that the attendance of women in the Masjid during the time of Nabi (ﷺ) was merely due to consent and permissibility. It was not because of any special virtue or reward.

Nevertheless, the so-called adherents of the Hadith who have sprung up in recent times, understand that women are supposed to attend the Masjid for congregational and Eid Salaat. They deem it a Sunnat, nay Sunnat-e-Muakkadah!

Everyone is well aware that one who omits a Sunnat-e-Muakkadah is worthy of censure and one who continuously omits it is liable for punishment. Just like it is Sunnat-e-Muakkadah for men to attend the Masjid for congregational Salaat and if any man does not go to the Masjid, he will be censured. If a man persists in his

abandonment of congregational Salaat in the Masjid, then he is liable for punishment (in an Islamic State).

Rasulullaah (ﷺ) intended to incinerate the homes of those men who do not attend the Esha Salaat in the Masjid. Why was this? Because these people had become habituated to missing the Esha Salaat in the Masjid with congregation.

Therefore if congregational Salaat in the Masjid was binding on women, then Hadhrat Umme Humaid (رضي الله عنها), who had continued performing her Salaat in the remote corner of her home until she died, would have been liable for punishment.

In fact, if congregational Salaat for women in the Masjid was (even) Mustahab or more rewarding, then Nabi (ﷺ) would never have encouraged Hadhrat Umme Humaid to perform her Salaat at home, considering the fact that she was desirous and eager to perform her Salaat behind Nabi (ﷺ).

We will now present some of the narrations cited by the so-called followers of the Hadith, which they harp on and use as proof to exhort women to attend the Musaajid and which they claim are proofs that this is Sunnat. We will explain the import of these narrations and place them in proper context.

Hadith 19

Do not prevent women from attending the Masjid if they ask for permission from you.

Hadith 20

A man should not prevent his womenfolk from attending the Masjid. [Ahmad]

Hadith 21

Do not prevent your womenfolk from the Masjid. [Abu Dawood]

Hadith 22

If the wife of any of you requests permission to attend the Masjid, you should not prevent her. [Bukhaari Shareef / Muslim Shareef]

These narrations are written such in *Eid Ahmedi*. We have transcribed them here verbatim. What do these narrations actually say? **They are mere advices to the men not to prevent their womenfolk from attending the Masjid.** These narrations most certainly do not prove that the attendance of women in the Masjid for congregational Salaat is Mustahab or Sunnat-e-Muakkadah.

Since there was consent and permission for the women during the era of Nabi (ﷺ) to attend the Masjid for congregational Salaat, they therefore had the prerogative to practice on their rights. The men were therefore advised not to prevent them, which would have deprived them (the womenfolk) of what they were permitted to do.

Another point is that during that era there was a need for the women to attend the Masjid because they were **all in need of education.** There was the need that they attend the Masjid and **witness the actions of Nabi (ﷺ) and learn from him directly.** If they need to know anything, they could ask for themselves. This is the reason why the men were told not to prevent the women from attending the Masjid. [As stated by Muhaddith Dehlwi (رحمة الله عليه)]

Thirdly, the era of Nabi (ﷺ) **was free from immorality and fitnah,** so the prevention of women from attending the Masjid was not done because of fear of fitnah but would have been **done to exercise authority and supremacy, displaying pride.** This is another reason why Nabi (ﷺ) advised men not to prevent the womenfolk from attending the Masjid. [As stated in Hujjatullaahi Baaligha]

Nevertheless, these narrations do not prove or indicate that congregational Salaat in the Musaajid for women is Mustahab or Sunnat.

Hadith 23

Hadhrat Ibn Umar (رضي الله عنه) reports that Rasulullaah (ﷺ) said, "*Give consent to your women to attend the Masjid* ***at nights.***" [Bukhaari Shareef]

Hadith 24

Hadhrat Ibn Umar (رضي الله عنه) reports that Rasulullaah (ﷺ) said, "*If your women request permission to attend the Masjid at night, then grant them permission.*" [Bukhaari Shareef]

All these Ahaadith only denote the permissibility of women attending the Masjid. Haafidh Ibn Hajar (رحمه الله تعالى) states that if it was necessary and binding on women to attend the Masjid for congregational Salaat, then there would be no need or point in their requesting permission. [Fath-hul Baari]. Because there is no question about requesting permission from anyone to perform an obligatory act of ibaadat. This does not also prove *istihbaab*, as we have explained previously.

Hadith 25

Hadhrat Ibn Abbaas (رضي الله عنه) reports that Rasulullaah (ﷺ) would take his wives and daughters with him for the Eid Salaat. [Baihaqi / Ibn Majah]

This narration also only proves that it was permissible for the women to attend the congregational Salaat during the era of Nabi (ﷺ), so Nabi (ﷺ) would take his family along with him.

However, his act of taking them with him does not prove *istihbaab* or Sunnat. An example of this can be seen in the

following narration of Hadhrat Aishah (رضي الله تعالى عنها), which appears in Bukhaari Shareef:

Hadith 26

Hadhrat Aishah (رضي الله تعالى عنها) reports, *"Nabi (ﷺ) used to kiss his wives whilst in the state of fasting, and he could control his desires better than you people."* [Bukhaari Shareef / Muslim Shareef]

In another narration it is stated, *"Which of you can control his desires the way Nabi (ﷺ) could control his?"*

Notwithstanding this Hadith being authentic, it does not prove that it is Mustahab or Sunnat to kiss one's wife whilst fasting. In fact, Hadhrat Aishah (رضي الله تعالى عنها) indicates that it is best for others not to do as he (ﷺ) did, because Nabi (ﷺ) had full control over his desires and he would not go further than a kiss, whereas there is great possibility that another person would not stop at the kiss, hence it is best to exercise caution.

Hadith 27

Umme Atiyya (رضي الله تعالى عنها) states, *"We were instructed to go out (for the Eid Salaat), and also take those in haidh, the young girls and those in hijaab. As for those women in haidh they would be present for the congregation and dua, but not in the Salaat."*

Hadith 28

Hadhrat Umme Atiyya (رضي الله تعالى عنها) states that Nabi (ﷺ) said, *"Take the young girls and those in hijaab to the* ***Eid Salaat and the dua.*** *The women in haid should stay clear of the Salaat (area)."* [Ibn Majah]

These two narrations are the strongest proofs for the so-called followers of the Hadith, because they contain the explicit terms of command, which denote emphasis or at

the very least *istihbaab*. Nevertheless, they misunderstand the import and real meaning of these narrations.
We will explain them in detail:

It is widely accepted that the expression of *amr* (positive command) is used in **three instances:** sometimes it expresses an denotes a **compulsion,** like *'Establish Salaat!'*, sometimes it denotes ***istihbaab*,** like *'And eat therefrom and feed the poor and beggars..."* and sometimes it denotes **permissibility,** like *'When you become Halaal (from ihram) then (you may) hunt'*, and *'Eat and drink...'*.

Although the actual application of *amr* is compulsion, but when it is established from the context that compulsion is not the intention, then we will turn our attention to *ibaahat* (permission) or *istihbaab*.

We will now consider the objective of the usage of *Amr* in calling the women out to the Eid Salaat. It should be kept in mind that **compulsion is most certainly not the intention because there is nothing which indicates towards this,** that it is Fardh for women to attend the Eid Salaat. The Eid Salaat and **attendance of the Eid Gah is not even Fardh on men, how then can it ever be Fardh for women?**

And since those who are inviting towards practice of this Hadith, themselves do not claim it to be Fardh, there is therefore no need for us to explain any further.

Now remains the matter as to whether it is Mustahab or not. We say that it is not Mustahab and cite the following reasons in substantiation:

Firstly, consider the statement of Rasulullaah (ﷺ) where he had clearly stated that the Salaat of women in the innermost corner of their homes is better than their Salaat in the Masjid. We have explained in detail regarding this issue. Nabi (ﷺ) had clearly stated that the Salaat of

women in their homes is more virtuous than their Salaat in Masjid-e-Nabawi (which boasts the reward of fifty thousand Salaat as compared to any Salaat performed elsewhere). We have also learnt that the reward for women decreases in proportion to their abandonment of concealment (see Hadith 3, 4, 5 and 6).

These factors (of abandonment of concealment) are clearly present on the occasion of Eid where they will be attending a large congregation, where their gazes will fall on the men and they will be outside in broad daylight. All these factors make it abundantly clear in the light of these narrations that their attendance for the Eid Salaat can never be classified as Mustahab. There is no exception stated in these narrations with regard to the Eid Salaat.

Secondly, is that the Jumuah and five times daily Salaat are Fardh and it is advisable and more virtuous for woman not to attend them in congregation so therefore since Eid Salaat which is not even Fardh it is all the more unadvisable for women to attend.

Thirdly, is that Nabi (ﷺ) did not mention any virtue or extra reward for women attending the Eid Salaat, wherefrom it can be established that the eid Salaat for women would be *Mustahab* or *Mustahsan.*

Now since we have established the *amr* is not a positive command denoting compulsion neither does it denote *Istihbaab* therefore we say it is only to show consent and permissibility. The actual import and intention of Nabi (ﷺ) statement is that women be allowed to attend the Eid Salaat and if they wish to go they should not be prevented because it is permissible for them to attend. We also accede to the fact that women used to attend the congregational Salaat during the era of Nabi (ﷺ).

CHAPTER THREE

Does the consent and permissibility which existed during the era of Nabi (ﷺ) for women to attend the congregational Salaat still apply today or not?

It is clear and accepted by all that women were allowed to perform their Salaat in the Masjid during the era of Nabi (ﷺ). However the conditions of the society started deteriorating from the era of the Sahaabah (رضي الله تعالى عنهم), not long after the demise of Nabi (ﷺ). Immorality and fitnah started increasing, and the Sahaabah (رضي الله تعالى عنهم) had themselves started preventing women from attending the Masjid. This prohibition of theirs was based on and extracted from the teachings of Allaah Ta`ala and His Rasool (ﷺ), as our readers have learnt earlier on.

The Hanafi Ulama have ruled that it is no longer permissible for women to attend the Masjid for congregational Salaat. In fact, for women to perform their Salaat in their homes was preferable and more virtuous during the era of Nabi (ﷺ), but today it is necessary and obligatory for them to perform their Salaat at home. The proofs of the Hanafi Ulama are as outlined below:

FIRST PROOF:

Hadith 29

It has been reported that Hadhrat Aishah (رضي الله تعالى عنها) said, *"Had Nabi (ﷺ) witnessed the condition of women (today- i.e. during the time of Hadhrat Aishah – رضي الله تعالى عنها) he would have prevented them from the Masjid just like the women of the Bani Israeel were prevented."* [Bukhaari Shareef]

Hadith 30

The women of the Bani Isareel being prevented from the Masjid has been established from the Hadith of Hadhrat

Urwah from Aishah (رضي الله تعالى عنها) *marfoo`an*. Abdur Razzaaq has cited it with an authentic *sanad* and his words are: *She said, 'The women of the Bani Israeel used to make feet (stilts) from wood so they could ogle at the men in the Masjid (owing to their height advantage). Allaah Ta`ala then made their attendance in the Masjid Haraam, and* ***He decreed upon them (subjected them to) haidh.'***

Although this Hadith is *mauqoof* on Hadhrat Aishah (رضي الله تعالى عنها), it is nevertheless, classified as *marfoo`*, because such things cannot be said from one's own opinion or *qiyaas*.

Haafidh Ibn Hajar, Qaadhi Shaukaani, Allamah Zurqaani (the commentator of *Muwatta Maalik*), the author of *Aunul Ma`bood* (رحمهم الله تعالى) had all classified Hadith 30 as *marfoo`*. They accepted the Hadith as being authentic. The following salient points are learnt from this Hadith:

(1). The women of the Bani Israeel used to attend the Masjid for Salaat. They were permitted to do so.

(2).(3). Since we have established from an authentic Hadith that the women of the Bani Isra'eel were prohibited from attending the Masjid owing to immorality which crept into their societies, it follows that this ruling also applies to the Ummat e Muhammadiyyah and that it is Haraam for women to attend the Masjid because immorality and fitnah have become the order of the day.

(4). In Hadith 29, Hadhrat Aishah (رضي الله تعالى عنها) states that the condition of the women started deteriorating after the demise of Nabi (صلى الله عليه وسلم), and had he witnessed what was happening he would most certainly have prohibited the women from attending the Masjid, just as the women of the Bani Israeel were prohibited.

It has thus been established from the Hadith of Hadhrat Aishah (رضي الله تعالى عنها) that immorality and fitnah had started creeping into the Muslim society, and it has further been

established that immorality and fitnah are the reasons for Allaah Ta`ala decreeing the prohibition of women from attending the Masjid, as had been seen regarding the women of the Bani Israeel. It follows then that the ruling of the prohibition of women, of the Ummat of Muhammad (ﷺ), from attending the Masjid, is also according to the Desire and Wish of Allaah Ta`ala.

Any ruling which was decreed for the previous Ummats, if it had not been abrogated for our Ummat, its relevance will apply to us as well. Whatever was binding on the previous Ummats (as long as it has not been abrogated for us), will apply to us as well. As Allaah Ta`ala states in the Qur`aan Majeed, addressing Nabi (ﷺ), *"And their (the previous Ambiyaa) guidance, you should follow."* [Surah In`aam, Aayat 90]

Hadith 31

Hadhrat Ibn Abbaad (رضي الله تعالى عنه) stated, *"Your Nabi (sallallahu alaihi wasallam) is amongst those who instructed the obedience to the previous Ambiyaa."* [Bukhaari Shareef]

Since the Divine Scriptures which were revealed to the previous Ambiyaa (عليهم السلام) are non-existent today in their true forms, it is not possible or binding upon us to follow their teachings. There is no certainty that the injunctions which exist today (in the other religious books) are from Allaah Ta`ala, however as for those Divine Commands which were decreed on the previous Ummats as told to us by Nabi (ﷺ), they would be binding upon us just as the Commands which were decreed directly upon us, as long as they have not been abrogated.

Since this Hadith which states that the women of the Bani Isra'eel were prohibited from attending the Masjid owing to immorality which crept into their societies, is an authentic Hadith, it follows that this ruling also applies to us and that it

is Haraam for women to attend the Masjid because immorality and fitnah have now become the order of the day.

This proof is crystal clear and there is no doubt in it, because it comprises two authentic Ahaadith and one Qur`aanic Aayat. Nevertheless it is possible that some people may object to certain aspects thereof, therefore we will deal with these objections in detail.

Objection 1

The rulings of the previous Ummats would only be binding upon us if no contrary ruling exists in our Shariah. Our Shariah has permitted women to attend the Masjid which cancels and abrogates the ruling of prohibition of the previous Ummats. It is as though you are now proving the matter with an abrogated ruling.

Reply

This notion is incorrect because this Hadith proves that the women of the Bani Isra'eel used to attend the Masjid and they were permitted to do so. However when they begun acting immorally and the *fasaad* started spreading, that is when their attendance was made Haraam. This ruling has not been abrogated in our Shariah.

It should be understood that the permission for women to attend the Masjid applies only on the condition that there is no fear of *fitnah* and *fasaad*, and the permission which was granted to them was done during an era which was free of *fitnah* and *fasaad*. This fact did not abrogate the ruling of prohibition, which was initially promulgated due to *fitnah* and *fasaad*.

The era of Nabi (ﷺ) was free of *fitnah* and *fasaad,* which was the causative factor in the ruling of prohibition. This is clearly established in Hadith 29 of Hadhrat Aaisha (رضي الله تعالى عنها) where she states, *"Had Nabi (ﷺ) witnessed*

the condition of women today ...this statement of hers clearly implies that the *fitnah* and *fasaad* had not existed during the era of Nabi (ﷺ). Therefore the consent which was granted (during the time of Nabi (ﷺ) was most certainly in an atmosphere contrary to when the prohibition was decreed (for the Bani Israeel).

Objection two

It will not be correct to say that the era of Nabi (ﷺ) was free of *fitnah*, because there were some people who would purposely stand in the back rows so that they could ogle the women and there were other pious persons who wish to go to the front so that their gazes do not fall on the women. Regarding them this Aayat was revealed, "*And indeed We are aware of those amongst you in the front and indeed We are aware of those who remain behind.*" [Surah Hijr, Aayat 24]

It has been reported in Tirmidhi Shareef that during the era of Nabi (ﷺ) a Sahaabi once raped a woman, and another man was accused of it. Nabi (ﷺ) ordered that he be stoned to death. The true perpetrator felt guilty that another person be punished for his crime, so he admitted guilt and was punished accordingly.

When such incidents were reported to have taken place during the era of Nabi (ﷺ), then how will it be correct to say that the consent (for women to attend the Masjid) was granted because it was an era which was free from *fitnah*, and that because of the *fitnah* which crept in later caused the ruling of prohibition?

Reply 1

The ruling which made it Haraam for the women of the Bani Israeel to attend the Masjid was issued because of the immorality and *fasaad* which crept into the society. The statement of Hadhrat Aaishah (رضي الله عنها) clearly indicates that new acts of immorality had begun to surface after the demise of Nabi (ﷺ). If we combine these two narrations

then it becomes abundantly clear that the *fitnah* and *fasaad* which was the causative factor in the ruling of prohibition, was the *fasaad* (mischief) that existed in the intentions of the women. The Aayat and Hadith cited in the objection above relates to and establishes the immorality that existed in the men, not women. Therefore these incidents fall beyond the ambit of this discussion.

The fact of the matter is that if the intentions of women are clean and clear then the harms which result from the immorality perpetrated by men are not as severe as when these immoralities are initiated by the women. This is the reason why the ruling of prohibition for the women of the Bani Israeel was only decreed when they showed signs of immorality. Similarly, the ruling of prohibition for the women of this Ummat was decreed when the immorality amongst women began.

Reply 2

The occurrence of one or two isolated incidents during the era of Nabi (ﷺ) does not render the entire era as being one of *fitnah* and *fasaad*. An era will be classified as being one of *fitnah* and *fasaad* when such incidences occur regularly and become the order of the day. It is clearly understood from the Hadith of Hadhrat Aishah (رَضِيَ اللهُ تَعَالَى عَنْهَا) that such conditions started prevailing after the demise of Nabi (ﷺ).

Proof 2

There is another way of extracting a proof from the Hadith of Hadhrat Aishah (رَضِيَ اللهُ تَعَالَى عَنْهَا). She states, *"Had Nabi (ﷺ) witnessed the condition of women today, he would certainly have prevented them from attending the Masjid."* [Agreed upon]

This narration clearly proves that such immorality as had crept up after the demise of Nabi (ﷺ) was non-existent

during his blessed era. The condition deteriorated after Nabi's (ﷺ) demise, therefore the import of Hadhrat Aishah's (رضي الله عنها) statement is that these newly developed conditions render the ruling of prohibition necessary. The use of *laam takeed* in her words denote the emphasis, that is, that Nabi (ﷺ) would *most certainly* have prohibited women from attending the Masjid.

This statement of Hadhrat Aishah (رضي الله عنها) proves that the condition of the women deteriorated after the demise of Nabi (ﷺ) and it also establishes the ruling of prohibition. It follows that when the condition of the women deteriorated, the ruling of prohibition comes into place.

Objection 1

Haafidh Ibn Hajar (رحمه الله تعالى) objects to this proof in *Fat-hul Baari* by stating that a general prohibition for women cannot be deduced from this narration, because Hadhrat Aishah (رضي الله عنها) had based the ruling of prohibition on such a condition which did not exist, therefore the ruling of prohibition does not come into existence. It can be said that Nabi (ﷺ) did not see the condition of the women hence he did not prohibit them, therefore the permission for their attendance in the Masjid still exists.

Reply

Haafidh Ibn Hajar (رحمه الله تعالى) is correct is stating that Nabi (ﷺ) did not witness these conditions (of the immorality in women), therefore he (ﷺ) did not prohibit them. However, his concluding that the ruling of permission still exists, requires some consideration. We had established earlier on that the statement of Hadhrat Aishah (رضي الله عنها) established that the deteriorating condition of the women is the causative factor in the ruling of prohibition, so how can Haafidh Ibn Hajar conclude that, notwithstanding the

deteriorating condition of women, the ruling of permissibility still prevails?

However if Haafidh Ibn Hajar's view is that the immorality of women does not necessitate their prohibition from the Masjid, then we have two answers for him:

Firstly, is that we intend using the narration of Hadhrat Aishah (رضي الله عنها) as our proof. This narrations clearly states the mutual necessity that Hadhrat Aishah (رضي الله عنها) regarded the introduction of immorality amongst women as being the causative factor in prohibiting them from attending the Masjid. Haafidh Ibn Hajar does not accept this. We accept the statement of Hadhrat Aishah (رضي الله عنها) as opposed to the opinion of Haafidh Ibn Hajar.

Secondly, the ruling of prohibition indicated to by Hadhrat Aishah (رضي الله عنها) that the immorality in women necessitated their prohibition from the Masjid, was not the result of her opinion, in fact, she deemed it as a Divine Injunction. The Hadith regarding the women of the Bani Israeel, was a strong proof for her. Since it has been established that the immorality of women and the ruling of their prohibition from the Masjid are mutually necessary, how can the averment of Haafidh Ibn Hajar ever be correct that since Nabi (sallallahu alayhi wasallam) did not see it he did not rule against it, so the initial permissibility still exists?

A similitude would be that of the case of grape wine. The ruling: *If it intoxicates then its consumption is Haraam*, is completely correct. However if someone says, *If it does not intoxicate then it is not Haraam, therefore this ruling (of it being Halaal) will continue* – how can this ever be correct and acceptable? That is, the ruling of permissibility still exists even after intoxication occurred and the ruling of prohibition does not apply. Thing view is spurious and completely incorrect.

Objection 2

Haafidh Ibn Hajar (رَحِمَهُ اللهُ تَعَالَى) had also raised this objection that if the increase in immorality rendered the attendance of women in the Masjid Haraam, then Allaah Ta`ala knew this would happen, so why did He not decree the prohibition in the first place?

Reply 1

Allaah Ta`ala most certainly knew that immorality would increase, nevertheless, it had not yet been prevalent at the time, so there was no need to issue the prohibition. There is no incumbency to issue a ruling before the needs arises, otherwise Haafidh Ibn Hajar (رَحِمَهُ اللهُ تَعَالَى) would not be able to evade the queries which would arise regarding the rulings issued on various relevant occasions. For example, the ruling of tayammum was revealed on the occasion of Hadhrat Aishah (رَضِيَ اللهُ تَعَالَى عَنْهَا) losing her necklace on a journey. It occurred in such a place where there was no water. The people became restless and they complained to Hadhrat Abu Bakr (رَضِيَ اللهُ تَعَالَى عَنْهُ), who in turn chastised Hadhrat Aishah (رَضِيَ اللهُ تَعَالَى عَنْهَا). She was greatly grieved. It was on that occasion that the ruling of tayammum was revealed. Now if anyone were to ask Haafidh Ibn Hajar that since Allaah Ta`ala was aware that such occasions will arise where water will not be available, why did He not reveal the rulings of tayammum before the need arose?

Just like this, there are countless occasions where rulings were issued on the 'spur of the moment' and on specific occasions for specific incidences. If Haafidh Ibn Hajar were to be asked regarding all of them, then whatever reply he offered would also apply to this issue at hand.

Reply 2

Indeed Allaah Ta`ala was aware that immorality was to become prevalent. He had also issued the ruling of

prohibition on a previous occasion for the same thing, when the condition of the women of the Bani Israeel deteriorated. This very same ruling also applies to our Ummat, which applied to the previous Ummat. The fact that Allaah Ta`ala had informed Nabi (ﷺ) of His decree for the Bani Israeel was sufficient enough for us to deduce the relevance of the ruling for us.

Objection 3

Haafidh Ibn Hajar (رحمه الله تعالى) had also raised this objection that if the ruling of prohibition followed the introduction of *fitnah*, then this should only apply to those women who are guilty of perpetrating *fitnah* and not to all women in general.

Reply

When *fitnah* and immorality creeps in to the society, then it becomes very difficult if not impossible to pinpoint the culprits and guilty ones. If only some women are allowed into the Masjid then the others would formulate some plan or the other to get themselves admitted. It will be practically impossible to regulate the flow of women into the Masjid. Can guards be placed at the doors of the Musaajid and be able to sift out the acceptable from the unacceptable? Can anyone look into the hearts and intentions of others? Immorality is something which is not always apparent. It is amongst the hidden traits and only Allaah Ta`ala is *Aalimul Ghaib* (Knower of the unseen). **A general and blanket prohibition for all women has been decreed so as to close all the doors of *fitnah*.** A similarity of this can be found in the incident in the life of Nabi (ﷺ) where the munaafiqeen and jews would present themselves in Nabi's (ﷺ) presence and they would say, *Raa`ina*, which had a derogatory meaning and implication. The

Muslims would also say the same word when in Nabi's (ﷺ) presence, which in their case meant, *Look at us.*

Now since there was no apparent means of knowing who meant what, a general prohibition of the usage of this word was issued by Allaah Ta`ala in the Qur`aan Majeed, *"O You who believe! Do not say, Raa`ina, (but rather) say 'Unzur na' (Look at us)."* [Surah Baqarah, Aayat 104]

The same applies here, that since we cannot distinguish between the well-intending women and immoral ones, a general ruling of prohibition was issued. The narration regarding the women of the Bani Israeel also shows that a general prohibition was issued which applied to all the women. This objection of Haafidh Ibn Hajar is also incorrect.

Proof Three

Hadith 32

Hadhrat Abdullaah ibn Mas'ood (رضي الله عنه) reports, *"The men and women of the Bani Israeel used to perform Salaat in congregation. If any of the women had a (male) friend, she would wear stilts so that she could be taller and could see him. Allaah Ta`ala then subjected them (the women) to haidh."* Hadhrat ibn Mas'ood (رضي الله عنه) used to say, *"Expel them (i.e. the women) from the Masjid, just as Allaah Ta`ala had expelled the others."* [Majmauz Zawaaid - Haafidh Haithami said that all the narrators are authentic and reliable]

Hadith 33

Hadhrat Abu Amr Shaibaani reports that he saw Hadhrat Abdullaah ibn Mas'ood (رضي الله عنه) expelling women from the **Masjid on the day of Jumuah,** saying, *"Go to your homes, it is better for you."* [Majmauz Zawaaid - Haafidh Haithami said that all the narrators are authentic and reliable]

The following points are clear from these narrations:

1. Hadhrat Abdullaah ibn Mas'ood (رَضِيَ اللهُ تَعَالَى عَنْهُ) ejected women from the Masjid on the day of Jumuah

2. He would advise the people to eject the women from the Masjid.

3. Citing the incident of the women of Bani Israeel that they were expelled from the Masjid because of their immorality and *fasaad* he instructed the Muslims to do likewise.

Hadith 33 of Hadhrat ibn Mas'ood (رَضِيَ اللهُ تَعَالَى عَنْهُ) is *marfoo'*, its *sanad* is reliable and it is similar in meaning to the narration of Hadhrat Aaishah (رَضِيَ اللهُ تَعَالَى عَنْهَا), therefore it is clearly established from these two narrations that it is the will and decree of Allaah Ta`ala that women be banned from the Masjid when they engage in immoral acts and *fasaad* increases. Their attendance in the Masjid would be Makrooh-e-Tahrimi.

We now take a look at those Sahaabah (رَضِيَ اللهُ تَعَالَى عَنْهُمْ), Taabieen, Mujtahiddeen and Muhadditheen (رَحِمَهُمُ اللهُ تَعَالَى) who regarded the attendance of women in the Masjid as being Makrooh after the demise of Rasulullaah (ﷺ).

Hadith 34

Hadhrat ibn Umar (رَضِيَ اللهُ تَعَالَى عَنْهُ) reports, *"The wife of Umar (radhiallahu anhu) used to attend the Fajr and Esha Salaat in congregation in the Masjid. It was said to her, 'Why do you come out of the house when you know that Umar dislikes it.' She replied, 'What prevents him from stopping me?' They told her, 'The statement of Rasulullaah (ﷺ): 'Do not prevent the female slaves of Allaah Ta`ala from the*

Musaajid of Allaah Ta`ala.'" [Bukhaari Shareef / Ibn Abi Shaibah / Kanz]

From this narration we understand that Hadhrat Umar (رضي الله تعالى عنه) regarded the attendance of women for Fajr and Esha Salaat in the Masjid as Makrooh. His reason was that there was a fear of *fitnah.*

This narration appears thus in Muwatta Imaam Maalik that when this wife of Hadhrat Umar (رضي الله تعالى عنه) requested his consent to attend the Masjid, he remained silent.

However, the narration in Bukhaari Shareef makes it clear that the silence of Hadhrat Umar (رضي الله تعالى عنه) was not one of consent, in fact it was one of abomination and distaste. Allaamah Zurqaani states regarding this silence of Hadhrat Umar (رضي الله تعالى عنه) in the commentary of Muwatta, *"He remained* ***silent because he disliked her emergence for Fajr and Esha Salaat."***

The objection may be raised that if Hadhrat Umar (رضي الله تعالى عنه) disliked his wife's emergence then why did he not prevent her. The reason for this is that this wife of Hadhrat Umar (رضي الله تعالى عنه) was Aatika, the daughter of Zaid and at the time of her Nikah with Hadhrat Umar (رضي الله تعالى عنه), she made the condition that he not prevent her from attending the Masjid for congregational Salaat. This is the reason why he did not prevent her, lest it be a breach in his agreement. Nevertheless, this did not prevent him from disliking her action or his regarding it as Makrooh.

Someone may say that since he regarded this as Makrooh, then why did he agree to this condition in the first place when he made the Nikah?

The reply to this objection is that at the time of his making Nikah, the condition of women had not deteriorated to the low ebb which warranted their prohibition from the Masjid, hence at that time he did not regard their attendance in the

Masjid as Makrooh. It was only later that the condition of women deteriorated that he deemed their emergence as Makrooh, but owing to his initial agreement with her, he did not wish to breach his contract.

As for the reason cited for his not preventing his wife from attending the Masjid being the statement of Nabi (ﷺ), it is not proven that this was his reason. This was merely the opinion of the people around him. Another point is that if this was his reason, then how is it that he regarded the emergence of women to the Masjid as Makrooh, when Nabi (ﷺ) had allowed their attendance?

His regarding the attendance of women in the Masjid as Makrooh was because of the rise and preponderance of *fitnah* and *fasaad*, and his not preventing his wife was in fulfilment of his agreement with her. To regard it as Makrooh because of the *fitnah* and *fasaad* is not in opposition to the statement of Nabi (ﷺ), "*Do not prevent the female slaves of Allaah Ta`ala from the Musaajid of Allaah Ta`ala.*"

The fourth view is that it (women attending the Eid Salaat) is Makrooh. This has been reported by Tirmidhi from Thouri and Ibn Mubaarak. It is also the view of Maalik and Abu Yusuf. Ibn Qudaama reported it from Nakha`ee and Yahya bin Saeed Ansaari. [Neelil Autaar]

Our (Shaafi) companions have stated: It is Mustahab to take only those women to the Eid Salaat who are not attractive and eye-catching and not those that are. Our reply to the narration which endorses taking the young women and those who are in hijaab to the Eid Salaat is that the blessed era (of Nabi - ﷺ) was free from fitnah and fasaad, contrary to the present times. It has been established from Hadhrat Aishah (رضي الله عنها) through an authentic sanad that she said, 'Had Nabi (ﷺ) witnessed the condition of the women today, he would most certainly

have prohibited them from the Masjid just as the women of the Bani Israeel were prohibited.'

Qaadhi Iyaadh stated, 'The Salaf have differed regarding the emergence of women for the Eid Salaat. A group amongst them regarded it as their (women's) right. Amongst them was Hadhrat Abu Bakr, Ali, Ibn Umar, etc. There were those who prohibited them from attending. Amongst them was Urwah, Qaasim, Yahya Al-Ansaari, Maalik and Abu Yusuf. Imaam Abu Hanifah consented to their attendance once and prohibited it later. [Nawawi / Aunul Ma`bood]

Amongst the reasons which make absence from the congregational Salaat permissible is fear of fitnah, like if a woman applies perfume and attends. There is no difference of opinion between the statement of Nabi (sallallahu alaihi wasallam), 'If the wife of any of you seeks consent to go to the Masjid, you should not prevent her', and the ruling of the majority of the Sahaabah (radhiallahu anhum) in preventing the womenfolk from attending, because the preventive factor which is referred to in the Hadith is the ghairat (sense of honour) which stems from pride. The Sahaabah (radhiallahu anhum) prevented their women from attending the Masjid because of their ghairat which stemmed from fear of fitnah, and this is permissible. [Hujjatullahil Baaligha, vol. 2, page 26]

These excerpts clearly show those persons who prohibited women from attending the Masjid for the five times daily Salaat and for the Eid Salaat. They regarded the attendance of women as Makrooh.

They were:

The majority of the Sahaabah (رَضِيَ اللهُ تَعَالَى عَنْهُم) – *Hujjatullahil Baalighah*

Hadhrat Aishah (radhiallahu anha) – Hadith 29 and 30

Hadhrat Abdullaah Ibn Mas`ood (radhiallahu anhu) – Hadith 32 and 33

Hadhrat Umar (radhiallahu anhu) – Hadith 34

Sufyaan Thouri and Abdullah Ibn Mubaarak – *Tirmidhi*

Imaam Maalik, Imaam Abu Yusuf, Ibrahim Nakha`ee and Yahya Saeed Ansaari – *Neelil Autaar*

The nephew of Hadhrat Aishah (radhiallahu anha), Hadhrat Urwah bin Zubair, Qaasim and Imaam Abu Hanifah (rahmatullahi alaihim ajmaeen) -- *Nawawi and Aunul Ma`bood*

From the above discussion the readers will clearly understand that the first persons who had prevented women from attending the Masjid for the congregational Salaat were the Sahaabah (radhiallahu anhum). The reason and causative factor that spurred this ruling is the Desire of Allaah Ta`ala that women be prevented from the Masjid as He had decreed for the women of the Bani Israeel. This prohibition has been transmitted down the ages from the time of the Sahaabah (radhiallahu anhum) until this day, as has been discussed earlier.

Important Note 1

The Ahaadith which have been cited in the second chapter that the best place for a woman to perform her Salaat is the innermost corner of her house and also that her Salaat in her home is more virtuous for her than her Salaat in Masjid-e-Nabawi should not leave any woman dejected or forlorn, thinking that she is deprived of the great reward of performing Salaat in Masjid-e-Nabawi. We present hereunder two points which should be consoling to them:

Firstly, they should not feel dejected or deprived. In fact they should feel elated that Allaah Ta`ala had bestowed on them more reward for performing their Salaat in their homes, than having to perform it in the Masjid-e-Nabawi. [See Hadith 4]

Men need to walk and go there to acquire the reward, **whereas women attain more reward by just remaining in their homes and performing their Salaat.** This is actually an occasion of happiness and celebration for women and not one of sadness and grief.

Secondly, Allaah Ta`ala had reserved the emergence from the home and mixing in gatherings especially for men. Like this there are many posts and duties which are specifically for men, like participation in Jihaad, delivering sermons, Khutbah, Imaamat, etc.

It would be impermissible for women to be jealous or display greed for that which Allaah Ta`ala had not decreed for them this applies also to congregational Salaat. The fact of the matter is that sometimes we may regard something to be very great and rewarding, but we need to first subject our desires to the desires of Allaah Ta`ala and His Rasool (sallallahu alaihi wasallam). Whatever they have decreed for us, that is better for us and not what we deem as being better. Allaah Ta`ala and His Rasool (sallallahu alaihi wasallam) had ruled that the Salaat of women in their homes is better for them than their Salaat in the Masjid, therefore it is necessary that women subject themselves to this decree and practice subservience to it.

Women should believe that their Salaat performed in their home is better for them, thereby adopting subservience to the Will of Allaah Ta`ala and His Rasool (sallallahu alaihi wasallam) and they should abandon their personal notions that congregational Salaat is better for them.

Important Note 2

Many so-called followers of the Hadith present the deceptive argument for people that, in view of the consent of Nabi (ﷺ), the prohibition of the Sahaabah (رضي الله تعالى عنهم) are unacceptable. They say that the statements of the Sahaabah (رضي الله تعالى عنهم) does not negate Hadith-e-Marfoo`

This is one false and deceptive argument. The fact of the matter is that the statement of the Sahaabah (رضي الله تعالى عنهم) would not be accepted against a Hadith-e-Marfoo` only if there is a contradiction between the two, and if this contradiction cannot be resolved. This is not the case here. In fact the statement and consent of Nabi (ﷺ) applies to an environment which is free from *fitnah* and *fasaad*, and the ruling of the Sahaabah (رضي الله تعالى عنهم) applies to the presence of *fitnah* and *fasaad*, as is made abundantly clear from the Hadith of Hadhrat Aishah (رضي الله تعالى عنها). There is absolutely no contradiction between the statement of Nabi (ﷺ) and the ruling of the Sahaabah (رضي الله تعالى عنهم) in this case.

Another point is that this prohibition is not merely based on the statement and actions of the Sahaabah (رضي الله تعالى عنهم), in fact Hadith 5 which is *marfoo`*, shows that in an environment of *fitnah* and *fasaad* the ruling of prohibition is decreed by none other than Allaah Ta`ala Himself.

واخر دعونا ان الحمد لله ربّ العالمين

والصلاة والسلام علي رسوله محمّد واله واصحابه اجمعين

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Women coming to the Masjid for Salaat

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OBJECTION

It is reported in a Hadith that Nabi (ﷺ) said that women should attend the Eid Salaat with the males. Rasulullah (ﷺ) also said that women who wish to come to the Masjid should not be prevented. However, the Fuqaha have ruled contrary to the Hadith and rendered the attendance of women to the Masjid, their participation in Jamaat Salaat, Jumu`ah and Eid Salaats, as being Makrooh. This is in open contravention to the statements of Rasulullah (ﷺ).

ANSWER

The sect that dub themselves as 'Ahle Qur`aan', make this propaganda that the Ahadith Shareef is contradictory to the Qur`aan-e-Paak. For example, they say that "Tabattul" (complete devotion to the extent of cutting connection with this world), is encouraged in the Qur`aan Shareef (Surah Muzzammil), whereas it is reported in Tirmidhi Shareef: "Indeed Nabi (ﷺ) has forbidden 'Tabattul' (severing ties with this world)." [Tirmidhi, page 398, vol.1].

Also, they say, regarding the traveller etc. Allaah Ta`ala gives the following ruling in the Qur`aan Shareef: "And if you fast, it is better for you.", whereas, Nabi (ﷺ) said: "Fasting on a journey is not from amongst Piety."

In such instances, the 'Ahle Qur`aan' say, Nabi (ﷺ) is completely contradicting Allaah Ta`ala.

We say that there is neither conflict nor difference of opinion between Allaah Ta`ala and Nabi (ﷺ). This is merely the result of the Ahle-Hadith's crooked thinking. Similar is the condition of the Ghair Muqallideen, who dupes the people by drawing parallels between Fiqh and the

Ahadith. Just like how we would say to the Ahle-Qur`aan, that if we have to draw a parallel between your understanding of the Qur`aan Shareef and the understanding Nabi (ﷺ) had of the Qur`aan Kareem, then we would undoubtedly and un-hesitantly opt for the understanding and interpretation given by the mercy to both worlds (ﷺ). Similarly, if there is a difference of opinion regarding the interpretation of the Qur`aan Shareef and the Ahadith between the Fuqaha and the Ghair Muqalliddeen, we would act upon the injunction of the Qur`aan Kareem, "So that they may understand/ study/ comprehend Fiqh (jurisprudence/knowledge in Islaam)", and the saying of the Muhadditheen: "The Fuqaha are most knowledgeable in the meanings of the Hadith." [Tirmidhi], and we would rely and opt for the understanding and intelligence of the Fuqaha. We would not consider the crooked thinking of the Ghair Muqalliddeen.

Regarding the Mas`ala at hand, neither do the Fuqaha deny the fact that the women attended the Masaajid during the era of Nabi (ﷺ), nor do they refute the sayings of Nabi (ﷺ). However, they say that even in the Qur`aan Shareef, all the orders are not of the same category. A word which comes in the scale of Amr (order), is sometimes for Wujoob (necessity): "Establish Salaat", sometimes it comes for Istihbaab (preferable): "Then eat thereof (Qurbani - sacrificial animal) and feed therewith the poor who have a very hard time", sometimes it comes for Ibaahat (permissibility): "And when you become Halaal (out of Ihraam), then (you may) hunt."

The Fuqaha say that the order for men to perform Salaat in the Masjid, with Jamaat is greatly emphasised upon in the Shariah. However, for women, neither is this order Mustahab nor is it emphasised upon. It is or this reason that Nabi (ﷺ) said: "If there were no women or children in the homes, then I would give the order for those homes to

be burnt down, in which the menfolk do not attend the Masjid for Salaat." [Mishkaat] Nabi (ﷺ) most definitely gave women the permission to attend the Masaajid for Salaat; nevertheless, he (ﷺ) also said the following:

"Hadhrat Umme Salma (رضي الله تعالى عنها), the wife of Nabi (s) reports that Nabi (s) said: 'The best Masjid for women is the innermost portion of their homes." [Mustadrak Haakim, page 209, vol.1]

Hadhrat Umme Salma (رضي الله تعالى عنها) reports that Nabi (ﷺ) said than a woman's Salaat in the innermost room of her home is better that her Salaat in her verandah, and her Salaat in her verandah is better than her Salaat in her courtyard. [Tibrani Majma`us Zawaahid, page 334, vol.2] Hadhrat Ibn Umar (رضي الله تعالى عنه) reports that Rasulullah (ﷺ) said:

"Do not prohibit your womenfolk from the Masaajid; (however) their homes are better for them." [Mustadrak Haakim, page 209, vol.1]

Hadhrat Abdullah ibn Umar (رضي الله تعالى عنه) reports that Nabi (ﷺ) said: "A woman is an object of concealment, when she leaves the home, then shaitaan surreptitiously pursues her, (i.e. shaitaan allows for filthy thoughts to enter the minds of those looking at her), and a woman is most closest to Allaah Ta`ala in the most concealed room in her home." [At-Targheeb WA Tarheeb, page 188, vol.1]

A similar Hadith (as above) is reported by Hadhrat Abdullah bin Mas`ood (رضي الله تعالى عنه). [Majma`us Zawaahid, page 35, vol.2]

Hadhrat Aisha (رضي الله تعالى عنها) reports that once Nabi (ﷺ) was in the Masjid, when a woman who was adorned (with jewellery etc), started entering the Masjid with blandishment (charm). Nabi (ﷺ) said: "O people! Prevent your womenfolk from adorning themselves and coming to

the Masjid with blandishment. Allaah Ta`ala's curse did not descend upon the Bani Israeel, until such time that their womenfolk used to adorn themselves and enter the Masaajid with blandishment." [Ibn Maajah (Urdu trans.), page 276, vol.3]

Once Hadhrat Abu Huraira (رضي الله تعالى عنه) saw a woman who was perfumed, and she was going towards the Masjid. He asked her: "O servant of Allaah! Where are you going?" she replied: "To the Masjid". Hadhrat Abu Huraira (رضي الله تعالى عنه) asked her: "Have you applied perfume?" She replied in the affirmative. He said: "I had heard Rasulullah (ﷺ) say: "That woman who applies Itr (perfume) and goes to the Masjid, her Salaat is not accepted, until she takes Ghusl (bath) - (i.e. she thoroughly wash off all the Itr from her body and clothes)." [Ibn Maajah, page 279, vol.3]

Hadhrat Umme Humaid (رضي الله تعالى عنها) said: "The menfolk of our tribe used to prevent their womenfolk from attending the Masjid. I approached Nabi (ﷺ) and told him that we (women) desire to attend the Masjid and perform Salaat behind him (ﷺ), but our menfolk prevent us. Nabi (ﷺ) said: "You're Salaat which you perform in the (innermost portion of you're) home is better than the Salaat performed in your verandahs. And your Salaat performed in your verandahs is better than the Salaat performed in your courtyards. And the Salaat performed in your courtyards is better than the Salaat performed with Jamaat (in the Masjid)." [Tibrani Majma`us Zawaahid, page 34, vol.2] Thereafter, Umme Humaid (رضي الله تعالى عنها) performed her Salaat in the darkest portion of her home, until her demise. [Ibid]

Hadhrat Aisha (رضي الله تعالى عنها) said: "Had Nabi (ﷺ) seen the condition of the women of the time (her era!), he would (most surely) have prevented them from the Masjid." [Bukhari Shareef, page 120, vol.1 / Muslim Shareef, page 183, vol.1 / Abdur Razzaaq, page 149, vol.3]

Hadhrat Abdullah ibn Mas`ood (رضي الله تعالى عنه), used to expel the women from the Masjid on the day of Jumu`ah and he used to tell them: "Go to your homes, your homes are better for you." [Majma`us Zawaahid, page 35, vol.2]

Hadhrat Abdullah ibn Umar (رضي الله تعالى عنه) used to stand up on the day of Jumu`ah (in the Masjid) and cast pebbles at the womenfolk and expel them from the Masjid. [Umdatul Qaari, page 228, vol. 3] -All this used to take place in the presence of other prominent Sahabah (رضي الله تعالى عنهم).

When Hadhrat Umar Farooq (رضي الله تعالى عنه) used to go to the Masjid, and then his wife, Hadhrat Aatika (رضي الله تعالى عنها) also used to follow him. Hadhrat Umar (رضي الله تعالى عنه) was a person with a high sense of honour, and he used to regard her going to the masjid as being Makrooh. [Majma`us Zawaahid, page 33, vol.2]

From the foregoing Ahadith, a few points are learnt: The people from the tribe of Banu Musaa`id, used to prevent their womenfolk from attending the Masjid, during the era and presence of Nabi (صلى الله عليه وسلم). Nabi (صلى الله عليه وسلم) did not rebuke their menfolk, as a matter of fact he (صلى الله عليه وسلم) even further encouraged the women to remain at home, and he extolled to them the virtues thereof.

Women were prevented with rigidity from attending the Masjid by great Sahabah, like Hadhrat Aisha, Hadhrat Abdullah bin Mas`ood, Hadhrat Abdullah bin Umar, etc., (رضي الله تعالى عنهم ajma`een), in the presence of other Sahabah (رضي الله تعالى عنهم). The era of Fitnah (mischief, immorality and strife) had already reared its ugly head in their presence, and they were not opposed (in their prohibition of women's attending the Masjid) by other Sahabah (رضي الله تعالى عنهم), nor was any Hadith cited in opposition to their stance.

As for the present day Ghair Muqalliddeen, who are so passionate about women attending the Masaajid for Jamaat Salaat, Jumu`ah and Eid, we suppose that they regard the

Imaams of their Masaajid as being more pious and Allaah-fearing than Nabi (ﷺ)? They suppose that their Masaajid are more sanctified than Masjid-e-Nabawi (ﷺ)? They suppose that their era is better and purer than the best of all eras (the era of Nabi (ﷺ) and the era of the Sahabah (رضي الله تعالى عنهم)? They suppose that their womenfolk are more pure and chaste than the Sahabiaat (رضي الله تعالى عنهن) and the Taabi`aat (رضي الله تعالى عنهن).

If this is not so, then why do they place so much of stress and make such a hue and cry of an issue, which Nabi (ﷺ) and the Sahabah (رضي الله تعالى عنهم) did not regard as important? Why is it that they view as permissible the blaspheming of the Fuqaha on this issue? Why do they cause a Fitnah in the Masaajid, when it is more severe in the eyes of Allaah Ta`ala to cause a Fitnah than to murder someone?

Tell us, can any Ghair Muqallid give a guarantee that in the present times of immodesty, shamelessness, nakedness and mischief, a woman will (emerge from her home) without perfume, powder and other make-up? And that she will keep her gaze down and be saved from any harm?

In short, the Fuqaha have prevented women from attending the Masaajid, due to (the overwhelming factor of) Fitnah. When the stench of Fitnah was already rearing itself, during the best of eras, then who can deny the (existence of) Fitnah in the present times? In which Aayat or Hadith does it appear that there is emphasis for women to attend the Masaajid during times of Fitnah?

AND ONLY ALLAAH TA`ALA KNOWS BEST!

Prohibition of Muslim Women
Being Present in
Congregation Jamaat
By
Mufti Aazam Kifayatullah Sahab
(رحمہ اللہ تعالیٰ)

Hadhrat Moulana Kifayatullah Sahab (رحمہ اللہ تعالیٰ) in today's strayed condition gives insight on the topic of Prohibition of women being present in congregation and this has been put forward to assist the Ulama of South Africa. May Allaah Ta'aala grant all Muslims the ability to practice on what has been said and may the Muslim Women gain benefit from this Ameen.

1. What does the Ulama Deen say in this Masaala? Is it permissible for Women to attend lectures or not?
Especially in these gathering in which poems are recited with a good tone, and in the gathering all types of people are present?

2. And if provisions were made for women will there be any effect in it permissibility or not?

3. Does the husband have any right in stopping the woman from attending such gatherings?

Answer: According to the Jurists of the Hanafi School of Thought, they have refrained women from attending Salaat with Jamaat, Eid and lectures and this has been explained in the Kitaabs of Fiqh (principles) that for women to attend lectures, Salaat with Jamaat and Eid is Makrooh, Tahrimi which is close to Haraam And the proof for this Fiqhi condition is this Hadith in which Bukhari (رحمہ اللہ تعالیٰ) narrates from Hadhrat Ayesha (رضی اللہ تعالیٰ عنہا). They have said that the ways the women have chosen now are such that Nabi (صلی اللہ علیہ وسلم) should have objected and said that they should

be stopped from entering the Musjid the way the women of Bani Israeel has been stopped. The narrator says I asked Amra that the women of Bani Israeel have been stopped. And they said yes.

From this Hadith it can be understood during the time of Sahaba (رضي الله تعالى عنهم) the condition of the women have become such that by leaving their homes and attending gatherings was a cause of Fitnah (evil). And it is for this reason Hadhrat Umar (رضي الله تعالى عنه), Hadhrat Ayesha (رضي الله تعالى عنها) Hadhrat Umar (رضي الله تعالى عنه) and fellow (companions) Sahaba (رضي الله تعالى عنهم) stopped women from attending gatherings (Jamaat) Allama Aini Umdatul Qari in the Bukhari under this Hadith were the mention of women attending Eidain in the time were the women were safr due to (Prophecy) he writes and says:

Allama says in the time of Nabi (ﷺ) women could attend Eid Namaaz for the reason it was a time of goodness and prosperity and there was no fear of evil. And today's women have beautified themselves such that they should not be allowed, and it is for this reason Hadhrat Ayesha (رضي الله تعالى عنها) says that if Nabi (ﷺ) had seen the ways of these women, then Nabi (ﷺ) should've objected and said that they should be stopped from entering the Musjid the way the women of Bani Israeel was stopped. Allama Aini (رحمه الله تعالى) mentions that this statement of Hadhrat Ayesha (رضي الله تعالى عنها) was mentioned a few days after the blessed time of Nabi (ﷺ). But what about todays women Allaah forbid without a doubt women cannot be given permission whether it is Eid of not.

And if in the time of Allama Aini (رحمه الله تعالى) he has mentioned this, then the condition of today's women Allaah forbid. And if this was mentioned of the some 1400 years ago, then what can be said about women today. Allama Aini (رحمه الله تعالى) mentions in a different place: Our

companions that is the Ulama of the Hanafi Mazhab (School of Thought) is this which has been mentioned in Sahibul Badaai that all the Ulama are unanimous on this point that women not only for Eid and Jamaah but permission will not be granted to attend any Namaaz for this reason Allaah Ta'aala mentions. And also because if women leave their homes it is a cause of Evil. Yes old women can go for Eid there is noting against this but it is better for older women also not to attend any Namaazes.

And in it is mentioned women attending congregations is disliked. And from this narration we take proof which has been narrated by Hadhrat Umar (رضي الله عنه) that they stopped women from leaving their homes for this reason, by women leaving their homes was a cause of evil (Fitnah). And evil is Haraam and these things that lead towards evil are also Haraam.

I this time women are prohibited from attending any Namaazes. Because sinning (evil) is apparent. And in it is mentioned. The order for women is this that she should assist here husband according to Shariah, and she is refrained from participating in the gathering of men according to Shariah-the reason being that women leaving their homes causes evil (Fitnah) and it is for this reason there is no Jamaat with Jamaat for women from all these above mentioned points it can be established that it is Makrooh Tahrimi for women to perform five times Namaaz, Jummah and Eidain with Jamaat. And in leaving their home this is fear of evil.

This prohibition has been noted from Hadhrat, Hadhrat, and Hadhrat. And according to the Imams of the Hanafi School of Thought they've this principle just like and that which is mentioned. During the time of Nabi (ﷺ) women should attend five times a day Namaaz Eidain and Jamaah with Jamaat. And these congregations were obligatory on a person and from amongst the branches of Islam. But the

changing of time and condition Sahaba Kareem and Jurists of Islam have prohibited women from participating in congregation (Jamaat). The Imams of the Hanafi School of Thought unanimously have prohibited women from participating in Jamaat. From this every intelligent person can understand that if women were prohibited from these congregations that were compulsory then to attend lectures in any way will be prohibited. Firstly in today's time lots of lectures it is not permissible for men or women to attend for this reason the person delivering the speech is only a Molvi by name. They see from Urdu stories in the Kitaabs and it becomes a lecture, and in the lecture besides tales and fabrications and unworthy talk what else is there. So in these lectures it is not permissible for male or female to attend. And there are those type of Molvi's that their intention is to gain money and make the people happy and follow them they say such things, that will benefit them and to make the people happy they and their lectures on stories and to make the lectures exciting they speak of stories of Ailiya (The Pious servants of Allaah) and relate incidents which have not been heard and take their ignorance to be correct. It is not beneficial to attend lectures of such Molvis and also not permissible for male or female to attend such lectures. However, this will be explained towards the ending by way of completion of the talk. All that remains are those few Ulama who're in the true sense Aallims and by delivering lectures their intention is to teach Deen and to propagate and the upliftment of Islam. They do not desire worldly pleasures. Their lectures are free from unworthy talk and narrations in these lectures it is only permissible for men to attend and permissible for women. For this reason it is not permissible for women to attend those gathering which are compulsory then to attend lectures will be Makrooh and not permissible.

But this has been clearly explained by learned scholars and different accepted decisions have been noted by the Hanafi scholars on this topic for those who seek clarification on this topic. women should not perform Namaaz with Jamaat because of the revelation of Allaah Ta'aala which is, and Nabi (ﷺ) has said that the Namaaz of a women read in the innermost portion of the home (i.e. stipulated corner in the house) is better than the Namaaz performed in the outer portion of the home (no stipulated place in the home for Namaaz) and that Namaaz which is read in the outer portion of the home is better than the Namaaz read in the Musjid and their home is better for them.

The author that is Sahib Kanzud Daqaiq has said in that today's fata is on this that it is prohibited for women to attend Namaazes for this reason. That evil is apparent and if it is prohibited to go to the Musjid for Namaaz then to attend lectures and especially those lectures which are delivered by those such Ulama who make up stories. It is more prohibited. This has been mentioned. Allama Badra Deen Aini, has written in the and he says that women young or old should not attend Jamaat because it is a time where evil has become apparent. It has been narrated the Imam Ibn Hanafi (رضي الله عنه) has given permission to old women to attend Fajr Maqhrib and Esha and the other three Imams (Imam Shafee, Imam Ahmed, Imam Malik) say that they can attend all the Namaazes.

Today the is on this that whether the women is young or old they're prohibited from attending and were the author has mentioned the word it is meant that Jamaat, Eid, Istisqari and lectures are prohibited, especially those futile lectures in which ignorant create such pictures with the intention of fulfilling their desires and obtain worldly benefits.

In it is mentioned that besides it is prohibited for women to attend Jamaat (congregations) and women who attend

should be old and they should go at night. This condition has been stipulated because it is time where evil is apparent. From the of and this point can be proven that for a woman to attend lectures is prohibited and not permissible, especially those lectures where the intention is to gain worldly benefits that is those lectures delivered by ignorant person or a person seeking worldly benefit then to attend such gatherings is prohibited and not permissible, there will be no compromise. To attend lectures given by Aálim's and beneficial talks are also prohibited and not permissible to attend because it is a time where evil is apparent.

mentions in the that Nabi (ﷺ) prohibited women from visiting the cemetery and this prohibition is also for those old women who use perfume and come out or for those old women who beautify themselves and come out or young women although they may wear simple clothing the reason for which just by leaving their homes can lead to evil. This prohibition and dislike of women going to the Musjid can be logically explained from the above mentioned. From this point and the points mentioned before it is clearly understood that women leaving their homes and attending congregations (Jamaat) necessitated evil and the condition for this prohibition is to save them from evil or leading to evil. The visiting of the cemetery, Jamaah, Eidain, lectures and Istisqaa all fall under this condition.

And this also proven that young women whether they adorn themselves or they're dressed simply however their coming out is not permissible.

Although in few narrations old women are allowed to attend and with this condition that they do not adorn and beautify themselves it will be permissible but however is it generally accepted that it is not permissible for old women to go. This is clearly proven in Allama Aini's statements in the of and.

In consideration of the question that was asked about these lectures in which poems were recited in good voice and poems recited on the topic of love, then the conditions for women attending such a lecture it will not be as if there will be a doubt or hesitation by any learned person. (i.e. it will not be permissible) - I has been narrated from Hadhrat Anas (رضي الله عنه) that Nabi (صلى الله عليه وسلم) had a slave, his name was Anjasha and he had a good voice. Then Nabi (صلى الله عليه وسلم) said Oh Anjasha stop talking do not break the mirror. Qatada says that Nabi (صلى الله عليه وسلم) by mentioning Mirror means women.
On this Moulana Sheikh Abdul-Haq Muhaddith Delwi writes and says Nabi (s) ordered Aujasha to lower his tone and Nabi (s) feared that this talk must not penetrate the hearts of the women and evil occur because the stability and steadfastness of a women is weak and such talks take quick effect on their hearts. From this narration it is understood that Nabi (s) stopped a person with a good voice from reciting poems with vigour only for this reason that there were women present and there was a possibility that because of his good voice any type of evil thoughts being centred in the hearts of the women and because of his good voice they get effected and involved in evil (mischief).
However in the time of Nabi (صلى الله عليه وسلم) the women were graced and blessed by the presence of Nabi (s) in every way there was a possibility that they must not be let astray by a good voice then when about the condition of todays women.The same way men are forbidden to listen to the poetry or recitals of a strange woman in the same way women are also forbidden from listening to the recitals or poems of men. And in the same way it is not permissible for women to attend such lectures in which poems are recited in a good tone or sung.

Remaining is the matter concerning those lectures in which special provisions are provided for women. Then for women to attend such lectures is it permissible or not? The

answer for this is that for women to leave their homes is prohibited for this reason, most of the learned scholars have decided that their coming our is not permissible.

If women were given permission to leave their homes to attend Namaaz or lectures and they start coming out then it will be difficult to inquire whether they attended the Musjid or whether they present in the lectures or they went somewhere else, and they came home and use Namaaz and lectures as an excuse. The learned scholars have made this condition that for women to attend Namaaz with Jamaat, lectures, Jumaah and Eidain are not permissible because this is a cause of evil (Mischief).

It is clearly understood from the above mentioned narrations which have been noted. After pondering and inquiring in this matter that what are the causes of evil? Without hesitation it is understood that causes of evil are this:

1. Women uses Namaaz or a lecture as an excuse to leave home and because of her evil desires she goes somewhere else and the people at home think that she is gone to a lecture of Namaaz.

2. Women attend Namaaz with Jamaat or a lecture and the men's gaze fall upon her and for this reason there is a possibility of a strange man and woman creating a relationship which is not permissible.

3. The Woman's gaze falls upon a strange man and there is a possibility of the women being infatuated by the may and the end result is that evil has been created.

Its remedy is that from the time the woman leaves her home till she comes back that a responsible person who controls her or takes care of her livelihood be by her side.

This is apparent that no one does this. And these women have no guardian in a position where permission will be granted to them to attend Namaaz or lecture, and for this

reason the learned scholars have prohibited women from attending such gatherings. Their focus was mostly on this and the condition of the women is according to this. These words of Hadhrat Ayesha (رضي الله عنها) narrations also corroborate this. Because they are given the attribute of creators of evil intentions and doing underhand things to women and in the narrations the meaning of is this. That is that if women were granted permission to leave their homes they will make a good excuse and in their stubbornness they will fulfill their desires. And if the learned scholars did not have insight on this subject then it would have been easy to make provisions for the women in Musjid. And women should've not been prevented from attending Namaazes and lectures. But no theologian have written in any Kitaab in this formation that provisions should be made in the Musjid and let them attend Namaaz with Jamaat. From this it is clearly apparent that by them leaving their homes necessitates evil and they've been prevented from leaving their homes. And it is for this reason lot of Theologians in their phrases used the word when making mention of this in the propositions.

Also from the Hadith mentioned below this topic can be corroborated. Hadhrat Ibne Massad (رضي الله عنه) narrates that Nabi (ﷺ) said that women should be covered from head to toe whenever they leave their homes and Shaytaan stares at them.

Here Nabi (ﷺ) mentions that by a woman leaving her home there is cause for evil and he says that Shaytaan stares at them leads them astray then takes them to unworthy places or he leads any man astray brings him towards the women and get them involved in evil and looking at the narration that was mentioned in which we have noted, that Nabi (ﷺ) says that the woman who perform Namaaz in the inner-most portion of her home is better than Namaaz read in the outer portion of the home

and that Namaaz read in the outer portion of the home is better than Namaaz rad in the Musjid why is this? Only for this reason that by a woman leaving her home and the place where she is relaxed and protected the further she moves away from there is a greater probability of evil being caused. It is for this reason Nabi (ﷺ) mentions that is their homes are better for them. Hence it is proven that by women leaving their homes there is a cause of (or for) evil therefore, there is no benefits in making provisions for women to attend lectures and nor is there any effect in its permissibility. Although it is necessary to make provisions for women to be present and attend Namaaz with Jamaat they be granted permission to attend Namaaz and this has not been proven from any Kitaab.

Now looking at the second probability that strange man's gazes falling on women. Although it may seem that in lectures provisions were made to conceal (i.e. for the women) and this is probability sufficient (but in reality) those who're acquainted with this also know that these concealments which are provided in lectures cannot be sufficient for this (i.e. gazes of the sexes falling on each other). That of the time there are actions done without caution and strange men's gazes fall on women and those people who attend these gatherings have confirmed this. And even if we accept that in lectures those provisions provided for women prevent the men's gazes from falling upon them. Then we take the third probability into consideration the women gazes falling on men. This concealment cannot prevent this. The women from behind the curtain stare at all the people in the gathering. In today's women this sickness of staring is so common that in the women of 1400 years ago this mischief was found but not as much as it is found nowadays. This probability of evil being caused from behind the curtain that was provided for women cannot suffice and prevent this from happening.

But in reality this curtain provided for women gives them a chance to stare at men. From this no intelligent person with Imaan and justice in him can reject this, and remember the same way it is Haraam for men to stare at women in the same way it is Haraam for women to look at men.
In this view this Hadith has been noted It has been narrated from that and both were present in the assistance of Nabi (ﷺ) told both his wives to conceal themselves says that I thought and said O Rasul of Allaah he is blind and cannot see us. Nabi (ﷺ) said that both of you are not blind and can see him. From this Hadith it can be clearly understood that for women to look at strange men is Haraam. When Nabi (ﷺ) commanded both his wives to conceal themselves. And the companions of Nabi (ﷺ) had this way that they should lock any holes int he wall and so that women cannot stare at men. And Hadhrat Maaz (رضي الله تعالى عنه) saw his wife staring through a window, and then he hit her. It is required our of men to do the same an prevent their women from such things. It is clearly proven that in lectures provisions made for women is not beneficial and this so called concealment made for women cannot prevent this evil from taking place. Especially in the first probability.

The second probability looking without caution from behind this curtain cannot be prevented and the third probability the condition and ways of women are such that their looking cannot be prevented from behind this veil that is provided for them. Now for those who seek insight on this should decide for themselves by granting permission for this view that was provided for women what will it have?

Hence this topic has been given little attention that finally women are being called to lectures and why it so important to make provisions for this? I lectures such importance is given to women and win Namaaz with Jamaat, Jumaah and Eidain when they're attending the Musjid why is it that so

much importance is not given to the veil of provisions made for women? And if in this the intention for lecture was not intended then is priority and preference will be null and void. And if the person who is giving the lecture has this in mind that from these women he has hope to gain a lot of benefits and has hope to gain a considerable amount of money then this will also be of the additional factor. Concerning the above mentioned for is now permissibility. Does the husband have the right to stop the women from attending such lectures? Its answer is this that from topics mentioned before it is understood that for women to attend lectures is not permissible. Hence the husband has all the tight to prevent the wife from attending such gatherings because the learned scholars have sacrificed this motive (reason) and gave the right to the husband that even to understand those necessary principles of Islam they should not be allowed to leave the home.

But with this conditions what after consulting the Aalim the husband could not explain it to her then the women should enquire at a special time with this conditions that it is necessary for her to understand this then it will be permissible for her to come out with this condition also that it is a necessary question. The learned scholars' statements explain this. That is the husband has the right to stop the woman from attending gathering and if there comes that any topic difficulty comes about and after enquiring from the Aalims the husband cannot explain to her. And in the event there is not difficulty in the topic comes about and the women want to learn these principles concerning Whudu and Namaaz she wants to leave the home and if the husband know these principles and he can show it to her then he has the right to prevent her from going out.

If the woman experiences no difficulty in any which makes finding out necessary then it is not permissible for her to leave the home. And if she leaves the home without the

husbands permission then every angel in the sky curses her and whatever things she passes they will curse her besides human Jinns. Allama Ibne Haman Sahab Fathul Qadeer says when the women leave their homes with permission it must be with condition that they do not beautify themselves and they should in such a state that men do not turn towards them and their hearts do not desire them.

Hence from this narration this talk can be proven clearly that the husband had the right to stop them from attending lectures because for women to attend lectures is not permissible and to stop those that are not permissible is necessary upon him.

Since in this topic the mention of lectures or lectures have come for the reason it will not be as if not in accordance to mention the Adaab or benefits of lectures in a form of a summary (or condensation) and for this the statements of are sufficient. And it is for this reason this has been noted down with its translation. And it is this.

For a lecture this is suitable that his intention is only this that is to call a person from worldly matters towards the Hereafter and from sins towards righteousness and from greediness towards generosity and to create love for the hereafter and to hate worldly pleasures and to teach them about worship and piety because it is the habit of people that they're overpowered by crookedness and deviated from the divine code of life and they strive on such things that cause the displeasure of. Therefore it is necessary to restore fear in their hearts and also make them aware and fear forthcoming evils so that it brings about a change in their internal outlook and creates eagerness in them for worship, and they repent from sins. This is the way lectures and advices should be delivered. And if a lecturer lectures is not like this then his lecture will be a burden on both the listener and the lecturer. However, it is said that he is a

human in the form of a devil (Shaytaan) he turns the creation (people) away from the straight path and destroys them. Therefore it is necessary for the people to run from this lecture the way they run from a lion, and which ever person has the power should remove this lecturer from the platform of the Muslims and stop the lecture. This is also an action of commanding good and preventing evil and in the same way there are those lectures in which the lecturer is involved in narrating stories and in such lecturer there are a lot of exaggerations while others may not contain all the details and they join lies and they slander people in their lectures. It has been related from the that to sit in such lectures is forbidden because some lectures are beneficial and some destructive. If it is truthful then that person who is in a habit of telling stories, then he start mixing true and false stories and the distinctions between beneficial and destructive lectures does not remain. Imam Ahmed bin Hamble says that if the stories are of Prophets or pious people and has relationship with Deen and his narrations and chain of narrations are correct then I do not find any distress or difficulty in this. Hence it is necessary to refrain from false stories.

However, it is necessary for the lecturer that in his talk he prevents talks of Bid'aah because in states that if a lecturer talks on this things that are Bid'aah then it is necessary to stop his lecture and it will not be permissible to attend his gatherings but only with the intention of falsifying him. If one has the power to falsify this he should go but if he does not have the power he should not go and in the same way when lecturer speaks he turns the people towards hope and they begin committing sins and from his lecture they're full of hope and fear because the mention of such things will verily destroy people. However these talks are easy and lessen the burden on people and they enjoy this and the subject matter of lectures is only tat people are drawn

towards it and they praise such talks no matter how it has been said. It is for this reason lecturers have chosen to speak only on hope and Sawaab. And the sinning and disobedience of sinners has increased.

After these statements it becomes the right of the person who supervises the lectures that they should establish the condition that of the Imam it is necessary that he makes preparation for the guidance of his people, and in every town or city a noble Aalim should be appointed so that he could teach the people about Deen. Therefore the Imam should be such a person who is knowledgable and pious that is he abstains from evil and his beliefs are in accordance to the Shariah then he should be granted permission to lecture and whosoever does not have these qualities should not be granted permission so that he may not lead people to Bid'aah or the wrong path just like it is prevalent in our time.

From all these statements the object (meaning) is very clear. It is not necessary to go into further explanation and speech and it is for this reason the humble servants are content with this and they ask help, forgiveness and guidance from Allaah Ta'aala.

If any person is in any doubt that for women to attend lectures is not permissible then for them the doors of advice and lectures are closed. then the answer to this is that the doors of advice and lectures is still open and not closed, provided it is with this condition that it is in accordance to the Shariah and they comply with this and the way is this that the women call a pious Aalim to convey the lecture and they listen to the lecture. However, this condition is necessary that the women is from the same house or the other homes (neighbouring homes) are so close to her that if she attends the house in which the lectures is taking place it will not fall in the category of leaving the home. And in the gathering besides the lecturer or the residents of the

house there are no group of strange men there, and the lecturers talk must be in accordance to the Qur'aan, Hadith, Seerat and the pious servants, false stories or established narrations must not be mentioned in the lecture. The intention of the lecturer must be to teach and advice and the listeners' intention must be to learn Deen and to gain benefit and advice from the talks of and his then in accordance to this it will be permissible for the women to listen and for the lecturer to speak in such a place. However, remember that today to lecture in homes have become a common practice and women are lecturing in homes because it is a customary practice and in these customary talks most of the time there are talks taking place without any consideration which are not permissible in Shariah. Firstly the only reason for the lecture is to complete the custom. Secondly if the women gather from far off places that from such far places that prevention of them coming out is necessary the reason being that by their coming out evil becomes apparent, or evil prevails. Therefore the order for women attending such lectures has already been mentioned.

For a lecturer to lecture especially to a gathering of women is proven from Hadith. It has been narrated from Hadhrat Abu Saeed Khudri (رضي الله تعالى عنه) that women asked Nabi (ﷺ) that in his gathering of lectures and advices men over power us that is that men are present everyday and because of this we (i.e. the women) do not get a chance to participate in these lectures and advices and it is for this reason that you (i.e. Nabi (ﷺ) from your side stipulate a certain day for us. Then Nabi (ﷺ) promised them one day and on that day Nabi (ﷺ) should go to the women and advise them.

From this Hadith two things become known:

Firstly although women should attend Namaaz with the men in the Musjid, but in the gathering of lectures and

advices of Nabi (ﷺ) there were men present in assistance of Nabi (ﷺ) the women should not participate, and the reason for not participating is this because men were present. The explained this to Nabi (ﷺ) and requested him to stipulate a certain day for them.

Secondly in the gathering of women it is permissible for a pious Aalim to go and lecture and this is necessary in Shariah which is proven from the action of Nabi (ﷺ). Therefore if in the gathering of women it is free from evil effects which have been mentioned above and they request for advices then for a religious Aalim to go and lecture there, there will be no difficulty.

All praises are due to Allaah Lord of the Worlds and greetings and salutations on his Prophet Muhammad (ﷺ). after this in Shabaan 1334 after Hijrat a person put forward a question to this humble servant concerning the permissibility or none permissibility of women entering or going to lectures which are taking lace in a gathering? The question was a Hanafi it is for this reason this humble servant has noted the answer according to the Hanafi School of Thought and thought it to be sufficient to state the statements of the leading Scholar of the Hanafi School of thought. However, the answer in a way is long, it for this reason it has been compiled in a book form and kept to its name.

And Hajee Abdul Rahman Sahab has printed and published this at this time I would like to mention that I did not write this book because of any debate and not do I have so much time to waste on such talks. I was asked a question whatever I've thought to be correct is being made clear. According to the Hanafi School of Thought there is sufficient proof present for its condition for dislike. And the principle of Hanafi School of Thought Kitaabs gives the same order which is mentioned. It is for this reason that any

Hanafi Aalim oppose this then with affirmity he will leave the principles of Hanafi Mazhab and he will write in the manner he finds suitable to him. And in this condition it is not necessary for me to show consideration towards this.

However, today 11 Zil Qadha 1334 Hijri my gaze fell upon a booklet its name is. After looking at it, it became known that its author whose name is. He does not accuse the author of only but Allama Aini, the Imans of Hanafi Mazhab and other pious people clearly and indirectly he accuses them of opposing the Hadith. They opposed the commands of Nabi (ﷺ) and they did not understand the meaning of Hadith. He slanders Hadhrat Ayesha (رضي الله تعالى عنها) etc.

This is all in its place but if you look at from the beginning to end you will find one or two links that are in accordance to the accepted answers concerning the subjects in although he claims to understand Hadith. He does not know or even understand the meaning of Hadith nor does he have any connection with it.

However, will not be considered by any understanding knowledgeable person. It should not be from this way of thinking that people get misled that the Hanafi by mentioning that it is Makrooh for women to come out is without proof.

I've found it suitable to explain the question clearly and the Hadith of Nabi (ﷺ), the narrations of the Sahaba and the sayings of the pious people will be given with complete proof. With this intention to explain and clarify this (question) I've written this.

I hope that the learned scholar and the understanding derive benefit from this and they understand the reality of this Masaala and be saved from being left with a decision.
This is apparent that learned scholars of Hanafi (رضي الله تعالى عنه) they do not reject this that in the time of Nabi (ﷺ) women should attend Eidain and five times daily Salaat

with Jamaat. They accepted this and call it out in the loud voice. Therefore it is not beneficial and sufficient bringing Hadith to oppose the Hanafi's and proving that in the time of Nabi (ﷺ) women were allowed to attend Jamaat but the discussions in this whether this order remains or not? Concerning this topic and its subject we explain these int different sections in detail.

Was it stressed for women to attend Namaaz like the way it was stressed on men or not? In this section no Hadith can be put forward to prove that it was stressed for women to attend Jamaat. As far as we saw in the Kitaabs of Hadith and Studied the of Hadith I've not come across a narration to substantiate this. But found a few Hadith that oppose this (i.e. women attending Jamaat.

It has been narrated from Hadhrat Abu Hurraira (رضي الله تعالى عنه) that Nabi (ﷺ) said that if there were no women or children in the homes then I would perform Esha Namaaz and order the youngsters to burn the homes.

This warning that Nabi (ﷺ) is for those people who were not present in Esha Namaaz with Jamaat. From this Hadith every person will understand with ease that those men who did not attend Esha Namaaz with Jamaat Nabi (ﷺ) intended to punish them by way of burning. But because of women and children being present in the home they were prevented from completing this task. The mentioning of women in this Hadith proves that they're not responsible to attend Jamaat and it is not stressed for them to attend or else they should be guilty of this crime and punishment should be necessary for them, and by them being at home the mens punishment should not be prevented.

However because they're not present in Jamaat they do not become guilty of breaking the laws of the Shariah is for this reason the intention to punish the man was prevented. In

the same way all those Hadith coming in front gave proof to this that it is not necessary for women to attend Jamaat.

Is it better for women to read Namaaz at home or in the Musjid?

Hadhrat narrates from Nabi (ﷺ) that Nabi (ﷺ) the best Musjid for a women is the inner-most portion of their home.

Rasulullah (ﷺ) says that women's Namaaz that is read in the inner-most portion of the house is better than that Namaaz read in the verandah and that Namaaz which is read in the verandah is better than that Namaaz read in an open space and that Namaaz read in an open space is better than that Namaaz which is read outside the house.

Abu Hamad Saaid's (رضي الله عنه) wife says that Nabi (ﷺ) told me that I know that you would like to read Namaaz with me but however, that your Namaaz which is read in the inner most portion of your home is better than the Namaaz read in the verandah and Namaaz read in the verandah is better than the Namaaz read in an open space and the Namaaz read in an open space at home is better than the Namaaz read in the town's Musjid and the Namaaz read in town Musjid is better than Namaaz read in my Musjid (i.e. Musjid-e-Nabawi).

And brought this Hadith in a gathering to enforce the idea in this its has been added that listened to this from Nabi (ﷺ) to such and extent that she ordered the housefolk to make the innermost portion of the home which is extremely dark a place for Namaaz and she read Namaaz in this place until she passed away and that the narrator of this Hadith is a authentic narrator besides. And he showed that is a reliable person.

Hadhrat Abdulah Ibne Masood (رضي الله عنه) relates that Nabi (ﷺ) said that Namaaz read in the inner portion of the room is better than the Namaaz read in outer portion of the

room and that Namaaz which is read in the closet in the room is better than Namaaz which is read in the inner portion of the room.

*By closet is meant that place which is in the inner most portion of the house which is made to keep one personal belongings and money. It has been narrated from Ibne Masood (رضي الله تعالى عنه) he says that for a women to read Namaaz in the innermost portion of her home is better than Namaaz read in the verandah and Namaaz read in the verandah is better than Namaaz read in the homes open space and Namaaz read in the open space at home is better than Namaaz read elsewhere. Then he said verily when women leave their home Shaytaan stares (or stalks) them.

States this in and the narrator of this Hadith is authentic.
It has been narrated from Ibne Masood (رضي الله تعالى عنه) that he swears on an oath and he stresses on this oath hat for a women to read Namaaz in the inner portion of her home is better than Namaaz read in any Musjid besides Haj and Umrah besides that women who reaches such an age she has no desire for a husband and she is in old age.

The narrator asked what is meant by old age. He says that she becomes so old that her feet become weak and because of this her footsteps get closer. Narrates this in and all the narrators are reliable people. It has been narrated from Ibne Masood (رضي الله تعالى عنه) that any Namaaz of a women is not more beloved to Allaah than that Namaaz read in the darkness of the inner portion of her home.

It has been narrated from Ibne Masood (رضي الله تعالى عنه) that women should be covered from head to toe whenever they leave their home Shaytaan stares at them and verily they're close to Allaah in this condition when they're inside their homes. Has noted this from reliable narrators.

It has been narrated from Ibne Masood (رضي الله تعالى عنه) that women should be covered from head to toe and verily

women leave their home in this condition without any fault in them, then Shaytaan stares or (stalks) them and tell then whomsoever they pass they will feel good and verily women dress up and the housefolk ask them that where do they intend going to. They say they're going to visit the sick or to a funeral or to the Musjid for Namaaz but however the women's worship is not better than the worship done inside her home.

Narrates this from reliable narrators. From all these Hadith the detailed explanation clearly proves this. There is no stress for women attending Jamaat but the opposite of this is that it's better for women to read Namaaz at home. (Look at all the above hadiths).

The women in the time of Nabi (ﷺ) should attend Namaaz with Jamaat because permission was granted to them and not disliked and not because of emphasis or it was beneficial or it was liked (or preferred) (look at Hadith no. 4, 5), Although it was permissible the saying and teachings of Nabi (ﷺ) for them was this that they should read Namaaz at home and he gives warning for this and explains its benefits (look at Hadith no. 4).

The extra that Hafiz Haithamy mentions and noted down clearly proves this that practised on the teaching and warning of Nabi (ﷺ) and till her death she read Namaaz in the inner-most portion of her home and this was very essential to follow Nabi (ﷺ) and this was his wish.
After inquiring in Hadith No 5. This is clearly proven that Nabi (ﷺ) says that by women leaving their homes is a cause of evil and for them to stay in their inner-most portion of the home is a cause for them to gain closeness to Allaah. And it is for this reason in Hadith no. 8,9 Hadhrat Ibne Masood (رضي الله عنه) puts emphasis on his oath and says that the woman's every Namaaz which is read in the inner-most portion of the home is better than the rest.

In Hadith No. 6, 2, 3 and 4 from the sayings of Nabi (ﷺ) this proven that the women who reads Namaaz in the inner-most portion of her home is better than Namaaz read in the verandah, and Namaaz read in the verandah is better than Namaaz read in a open space and Namaaz read in an open space (of the home) is better than Namaaz read in the town Musjid and Namaaz read in the towns Musjid is better than Namaaz read in Musjide Nabawi.

Therefore, what doubt remains that for the women to attend Jamaat and to attend Musjide Nabawi was not because it was of benefit or (preferred) but it was allowed. Therefore how sad it is for these people who instigate and call women to the Musjid to attend Jamaat. They teach things which are against the happiness and wish of Nabi (ﷺ)'s teachings. And anger is caused when they portray this to be Sunnat and they take this action of theirs as if they're reviving the Sunnah.

And if it was Sunnat for women to attend Jamaat they why did Nabi (ﷺ) mention that the towns Musjid is better than his Musjid and Namaaz in the home is better than Namaaz in the Musjid? Because in this form for women to read Namaaz alone is as if they're leaving out a Sunnah. Then to leave out a Sunnah you get more Sawab and by doing a Sunnah you get less!

And what by Nabi (ﷺ) requesting women to read Namaaz at home is as if he was requesting them to leave out a Sunnah. It seems as if those people thing they're more pious than Nabi (ﷺ) and feel that their Musjid is better than Musjide Nabawi. According to Hadhrat Anas (رضي الله تعالى عنه) narration to read one Namaaz in Musjide a person get the Sawaab of 50, 000 Namaazes. It has been narrated from Hadhrat Anas bin Malik (رضي الله تعالى عنه) that Nabi (ﷺ) said that a persons Namaaz in his home he will get

the Sawaab of one Namaaz and his Namaaz in the Musjide is equivalent to 50,000 Namaazes.

Although Musjide Nabawi has these benefits nevertheless women who read Namaaz in the towns Musjid is better than reading in Musjide Nabawi and the Namaaz read in the home is better than the town Musjid and Namaaz read in the verandah is better than Namaaz read in the open space and Namaaz red in the inner-most portion of the home is better than the verandah. So from this it is clearly proven that the further away a women move from her place of concealment and protection in the same ways Sawaab becomes less - and why is this? Only for this reason the further she moves from home the greater the cause of evil otherwise there will be no cause for Sawaab to become less.

By men going far out there is no cause for evil that is why by them moving further increases the Sawaab. It has been narrated from Hadhrat Moosa Ashery (رضی اللہ تعالیٰ عنہ) that Nabi (ﷺ) said that those people who come from far for Namaaz their Sawaabs are more and even more than this is for those who come from even further.

It has been narrated from Hadhrat Jaabir (رضی اللہ تعالیٰ عنہ) that when Bani Salma intended to come closer to the Musjid Nabi (ﷺ) told them they should stay in their homes. Because coming from far for every step you take you get Sawaab. And he also said this that with permission being granted these conditions must also be found. Those women should not use perfume when coming out, they should wear simple clothing and they should not wear jewellery that shines out.

It has been narrated from Jainab Saffifa (رضی اللہ تعالیٰ عنہا) that Nabi (ﷺ) said that when women come out for Namaaz they should never wear scent. and they narrate from Zainab (رضی اللہ تعالیٰ عنہا) that Nabi (ﷺ) said that which ever women

decides to read Namaaz with Jamaat then on that night she should not use scent.

It has been narrated from's wife Jainab (رضي الله تعالى عنها) that Nabi (ﷺ) told us women that whenever you intend to come to the Musjid then do not wear scent. It has been narrated from Abu Hurraira (رضي الله تعالى عنه) that Nabi (ﷺ) said do not stop the servants of Allaah (i.e. the women) from entering the Musjid but they should go in a very simple condition. The meaning of is that they do not use scent or perfume is that women who does not have any scents (perfume) on her in the same way said this and this is the statement of. And in the meaning of is an undesirable scent.

By mentioning it is meant that perfume is not used. All such things that set the desires of a person in motion just like attractive clothing, jewellery which shines out and adornments of oneself fall in the same order of perfumes. From this Hadith it is clearly proven were granted permission to enter the Musjid with these limitations and conditions. So this is apparent that if these conditions are not practised upon and permission is granted to the women it is as if to grant permission against the command of Nabi (ﷺ). Can anyone say this that women of today who attend the Musjid and Eidain adhere to these conditions? Do they not wear beautiful clothing? Or do they not put on jewellery that shines out? And do they adhere to the condition of using simple clothing without any perfume or smell on it? If any person without any apparent reasons claims this to be true and say that they do this. In answer to this for the people who seek insight on this view it will be mentioned in the 3rd chapter.

However, the author finds it wrong for a person to be conceited in falsehood, without any doubt they see the condition and the command of Nabi (ﷺ) being broken or opposed from this it is understood the permissibility for

today's women does not remain for this reason because they do not abide to the conditions of permissibility and for them to practice on this is difficult and if after seeing all these Hadiths any understanding person will not have any doubt that in the time of Nabi (ﷺ) women were allowed to attend Namaaz because permission was granted not because it is beneficial or preferred for women to attend.

However, today those people who claim to follow Hadith think that for women tot attend Jamaat Namaaz and Eidain is Sunnat. But Sunnat is also emphasized. Everyone knows that the Sunnat which is emphasized by leaving it out is the cause for reproach or rebuke and that person who leaves it out often become worthy of punishment. Just like for men to attend Jamaat is Sunnat - Maukkida. If any person who does not attend Jammat is rebuked and that who constantly leaves it out and makes a habit if it is worthy of punishment.

Why did Nabi (ﷺ) intend to burn those people who do not attend Esha Salaat with Jamaat? It is for this reason they made it a habit not to attend Esha Salaat. And if it was Salaat Muakhida for women to attend Namaaz with Jamaat then should become worthy of punishment because she performed Namaaz in the inner-most portion of her home till her death. And if women to attend Jamaat were preferable and beneficial then should not tempt the women to read Namaaz at home but however she had the wish and desire to read Namaaz behind Nabi (ﷺ). We have mentioned these Hadiths in the formula here to break the spell of wrong explanation which the claimants of the practise of Hadiths have claimed and shown that for women to attend Jamaat is Sunnat.

And bringing forward the correct meaning of Nabi (ﷺ) Hadiths the reader will be able to compare and justify that the claimants of the practices of Sunnats claims from these Hadiths till were it proven. Do not stop the women from

being part of the Musjid when they seek permission. No person must prevent the member of his family from going to the Musjid. Do not stop the women folk from attending the Musjid. Whenever any of your wives seek permission to attend the Musjid then verily you shall not stop them.

These Hadiths have been mentioned min this and we have noted it down here in the same way. But what is in these Hadiths? Only this that the husbands have been prevented from stopping their wives from attending the Musjid. From these Hadiths this can never be proven that is Sunnat or Muakhida or for women to attend the Musjid. The women in the time of Nabi (ﷺ) were allowed to attend the Musjid then by this allowance and permission they had the right to benefit from it. For this reason the men were not permitted to prevent them. Secondly in the time of Nabi (ﷺ) one of the benefits of the women going to the Musjid was this that there was a great necessity to learn and it was necessary for them to attend the Musjid so that they could see and learn the actions of Namaaz. If they wanted to inquire anything they could ask. Thirdly in the blessed time of Nabi (ﷺ) people were safe from evil. In that time the men did not prevent the women because of the fear of evil. It has been narrated from Hadhrat Umar (رضي الله تعالى عنه) that Nabi (ﷺ) give the women permission to attend Namaaz at night. It has been narrated from Hadhrat Umar (رضي الله تعالى عنه) that Nabi (ﷺ) when your women folk seek permission to attend Musjid at night then grant them permission. From these Hadith this is only proven that women were granted permission and allowed to attend the Musjid. Says that if it was necessary for women to attend the Musjid then they should not have this conditions that they must seek permission from their husbands. Because it is not necessary to seek permission for compulsory worship then from this preferability is not proven. Just like how we have made mention of it before. It has been narrated from Ibne Abbas

(رضي الله تعالى عنه) that Nabi (ﷺ) said that Nabi (ﷺ) should take his wives and daughters for Eidain.

From this narration only this is proven that in the time of Nabi (ﷺ) women were only allowed to attend Eidain and Nabi (ﷺ) should take his daughters and wives for Eidain. However, only front he proof of taking them the proof of it being Sunnat or preferred cannot be proven. It has been narrated from Hadhrat Ayesha (رضي الله تعالى عنها) that Nabi (ﷺ) should kiss few of his wives while in the condition of fasting and Nabi (ﷺ) had more control of his desires than any of you. And in another narration that Hadhrat Ayesha (رضي الله تعالى عنها) said who from amongst you have control over their desire the way Nabi (ﷺ) had control?

From this Hadith although it is proven from the action of Nabi (ﷺ). It cannot be proven that in the condition of fasting it is Sunnat or Musthab to kiss the wife. But Hadhrat Ayesha (رضي الله تعالى عنها) indirectly shows that it is better for people not to do this. Because Nabi (ﷺ) had control over his desires and by kissing there will be no possibility of leading into something else, and in people for them to have control over their actions is very rarely found for this reason there is a great possibility of leading to something else. (But to abstain from this is better). Says that we have been commanded and those women where in the conditions of menstruation and the young and also those women in the state of Purdah should be taken to the Eidgah. But those women in the state of menstruation should only participate in the congregation (talk) and Dua, and they should keep away from the place.

Says that Nabi (ﷺ) said that young women and women who observe purdah should come out or be taken. They all should be present in the Eid congregation and Dua and those women in the state of menstruation should keep way from the place of Namaaz. Nowadays those people who

only act on Hadiths use these two hadiths as their strongest proof because in these Hadiths there is a word used to command and necessitate from which they try and prove its emphasis or at least its preferability. But they have misunderstood the actual meaning of this Hadith.
We will explain this in detail:

This is apparent that the word used for command can be used in 3 meanings. Sometimes it is used to necessitate just like and sometimes for preferability just like and sometimes to show allowance just like.

Even if the actual command is to necessitate then from presumption it is proven that it does not mean to necessitate then it will be referred to as Mustahab (preferable) or (allowed). Now here we have to see that the word used for command concerning women attending Eidain what is meant by it in this Hadith. Also remember with affirmity it does not mean to necessitate because no one accepts this that it is necessary for women to attend Eidain (and if in this instance it was necessary) then for men to attend should also be compulsory. But it is not compulsory for men then for it to be necessary for women what is meant by this? And even the claimants of the practices of Hadiths do not accept it to be fardah.

For this reason we did not find it necessary to elaborate on this topic. Now the second possibility remains that by their word or commanding word used it is meant that it is preferable (----) we say it does not even mean this because there are different proofs for it. The first proof is that Nabi (ﷺ) mentions clearly that for women to perform Namaaz in the inner-most portion of her home is better than the Namaaz performed in the Musjid. And in this chapter we have explained this in detail. Nabi (ﷺ) also mentions that for a women to read Namaaz in the inner-most portion of her home is better than reading Namaaz in his Musjid (in which a person gets the reward of 50000 Namaazes). And

besides this there is not reason for women to move further away from the place where she is protected and concealed and b moving further away her reward becomes less. Look at Hadith no (3,4,5,6) hence you will find all the information on women attending congregations, women gazes falling on men and women coming out during the day time in these Hadiths.

Therefore from the correct understanding of these Hadiths this can be proven that to attend Eidain is no Mustahab because the exemptions of Eid Namaaz are not made in those Hadiths. Second proof is this that if it is not beneficial and better for women to attend Jamaah and the five compulsory Namaazes then how can it is better and beneficial for them to attend Eid which is not even compulsory? Third proof is this that Nabi (ﷺ) did not tempt or explain any benefit for the women who attended Eid. from which it can be proven that for them to attend Eidain is Mustahab and liked.

Therefore if it is not necessary and Mustahab then the only possibility is that it is permissible. And the correct understanding of the saying of Nabi (ﷺ) sayings is that to allow women to attend Eidain or for them to go then they should not be stopped because for them to attend is allowed and we accept this fact that for women to attend in the time of Nabi (ﷺ) was allowed.

For women to attend Jammat is it still permissible or not? In the time of Nabi (ﷺ) women were granted permission to enter the Musjid but after the time of Nabi (ﷺ) during the time of the Sahabas conditions changed and sinning and evil intentions started and the Sahabas prevented women from attending the Musjid. And this prevention was taken out from the order (commend) of Nabi (ﷺ) will be explained.

Therefore the Ulama of the Hanafi School of Thought have accepted that nowadays permission will not be granted to

women to attend Jamaat, but in the time of Nabi (ﷺ) for a woman to read Namaaz at home was beneficial and better but nowadays it has become necessary.

For this order the Hanafi's mention these proofs:

It has been narrated from Hadhrat Ayesha (رضي الله عنها) who says if Nabi (ﷺ) had seen the ways the women had chosen nowadays he should have objected and stopped them from entering the Musjid the way the women of Bani Israeel were stopped. The women of Bani Israeel being stopped from the Musjid is proven from this Hadith which narrates with its correct chain of narration from who in turn narrates from Hadhrat Ayesha (رضي الله عنها). Its words are this. Hadhrat Ayesha (رضي الله عنها) says that women of Bani Israeel made legs of sticks so that they could become taller and look at the men in the Musjid then Allaah made it Haraam for them to attend the Musjid and he made them menstruate and this narration stops at Hadhrat Ayesha (رضي الله عنها) but it falls in the order of being.

Because such a talk cannot be said from logic and decision. They all take this narration to be in the order of and accept it to be correct. Therefore from this Hadith these statements proven the women of Bani Israeel should attend the Musjid for Namaazes and they had permission for this. When the women decided to make legs out of sticks so that they can become taller to see the menfolk Allaah made it Haraam upon them to enter the Musjid. Therefore for the women of Bani Israeel it was the order of Allaah Ta'aala that because of their wrong intentions and evil being caused it was Haraam for them to attend the Musjid. And from Hadhrat Ayesha (رضي الله عنها) this is clearly proven that after the time of Nabi (ﷺ) the women had chosen such ways that if Nabi (ﷺ) had seen this he should have objected and prevented the women from entering the Musjid the way the women of Bani Israeel were prevented.

Therefore the evil thoughts and evil being apparent is proven from Hadhrat Ayesha (رضي الله تعالى عنها)'s Hadith. And at the time when evil and wrong thoughts became apparent then for the women to attend the Musjid will be forbidden, this is proven from the command of Allaah which was placed on the women of Bani Israeel. Then with affirmity for the women of because of wrong thoughts and evil being prevalent it will be Haraam for them to attend the Musjid. It is for this reason that those divine laws that were put on the previous Ummat if they're not cancelled then fir us to follow and obey it is necessary and compulsory just like the way we follow and obey our Shariah. Which means that Allaah speaks to Nabi (ﷺ) and mentions follow the guidance of Shariah of the prophets before you?

Hadhrat Ibne Abbas (رضي الله تعالى عنهما) your Rasul (ﷺ) is from amongst those who have been ordered to follow the previous Ambiya (Alayhimus Salaam). But because the Kitaabs of the previous Shariahs were not protected it is for this reason the present Kitaabs laws are not necessary for us to act upon. Simply for this reason that it cannot be confirmed that the laws were the laws of Allaah. However, if Nabi (ﷺ) said that this was the law in the previous Shariah and the law was not cancelled in our Shariah then with affirmity it will be necessary and compulsory for us to act upon it just like we act upon the laws of out Shariah. When from this Sahih Hadith it has been proven that in the time of this evil and wrong doing for the women of Bani Israeel Allaah made it Haraam for them to attend the Musjid then with affirmity this law will apply to the women of the followers of Nabi (ﷺ) and it is necessary to follow this law and also the command of Allaah. And for women to enter the Musjid is Haraam because this is the command of Allaah. This proof is clear and apparent and there is not doubt in it. Because in its composition there are 2 Sahih Hadiths and one Ayaat (verse) which indicates clearly to

the claimants. However, it is possible that a few people may doubt that which was mentioned therefore it is for this reason in compilation of the Kitaab we answer their doubts for their benefit. The only time it becomes necessary for us to follow the previous Shariahs laws when in our Shariah there is no law opposing the previous Shariah's laws and this fact cannot be disputed in this manner. But our Shariah has opposed this law of forbiddance and granted permission for women to attend the Musjid then the first law (concerning women being allowed in the Musjid) is cancelled and it is for this reason to prove the forbiddance of women coming and attending the Musjid it was to prove from a law which has been cancelled. This way of thinking is wrong because from this Hadith it is proven that the women of Bani Israeel should read Namaaz in the Musjid and they had permission to do so, but when they started committing evil and had wrong thoughts then at that time it was made for them to attend the Mushid therefore in the Shariat of Bani Israeel this law was passed because of evil and sinning becoming apparant women were forbidden from entering the Musjid and our Shariat did not cancel this law. Remaining are those women who were allowed to enter the Musjid this was because evil was not prevalent at the time. This permission which was granted in a time where there was not evil being apparent cannot negate the law of forbiddance in the time of evil being apparent. In the time of Nabi (ﷺ) there were no evil thoughts and evil being apparent which will constitute the law of forbiddance and prevention being enforced. From the Hadith No 29 of Hadhrat Ayesha (رضي الله عنها) this is clearly established and she says that if Nabi (ﷺ) saw these conditions he should have objected or if he was presents in this time and from these words this is clear that these conditions of evil and sinning were not present in the time of Nabi (ﷺ). Therefore the permission granted is that time without any

doubt cannot oppose or negate this law of forbiddance. To say that in the time of Nabi (ﷺ) there was no evil is incorrect because few people with the intention of gazing at women stated in books..... and few of their gazes do not fall on the women. Concerning this, this verse was revealed. And in Timizi Shareef it is mentioned that in the time of Nabi (ﷺ) one Sahaba knowingly committed adultery with a women and in doubt someone else was caught and it was close that Nabi (ﷺ) gave the order for him to be stoned. The criminal say the innocent person being blamed and admitted to the sin and he was stoned. Therefore when at the time of Nabi (ﷺ) if such type of happenings were found or proved then it could be correct to say that in the time of Nabi (ﷺ) because people were protected from evil permission was granted and after the time they were prevented because of evil.

The reason for this forbiddance of Nabi Israeel women from the Musjid was because of their wrong intentions. In Hadhrat Ayesha (رضي الله عنها) statement she makes the connection of improper ways towards women.

From joining those two Hadiths this is clearly established the reason and command for the prevention of women attending the Musjid was because of evil and because the women had evil intentions and this Hadith and Ayaat that was mentioned in the establishes that men have evil intentions, not women. (That is why this event is free from the original command) i.e. the preventions of women from Musjid. That is why this event does not fall in the command of prevention (i.e. for men) and the reality is this that if the women's intention is clear then from the evil intention of men the crime will not be to such an extent like the extent of the crime caused by a women because of their evil intentions. That is why for the women of Bani Israeel when they intended evil at that time the low for forbiddance of them entering the Musjid was revealed.

In the say way in the Ummat of Nabi (ﷺ) this command for the prevention of women only when they started having evil thoughts. If the women because of the evil intentions of men distant and they cannot be seen then those events were will not necessitate any doubt and because of one or two happenings in the time of Nabi (ﷺ) this time of Nabi (ﷺ) cannot become a time of evil and sinning being prevalent. By mentioning the time of evil and sinning it is meant that is such a time were evil becomes common. From this Hadith of Hadhrat Ayesha (رضي الله تعالى عنها) this is clearly understood that this condition became apparent after the time of Nabi (ﷺ). From the Hadith that Hadhrat Ayesha (رضي الله تعالى عنها) mentions this can be proven in another way.

Hadhrat Ayesha (رضي الله تعالى عنها) says that if Nabi (ﷺ) had seen the way the women had chosen after his time then verily he should've stopped them from the Musjid. From this Hadith clearly this is established that in the blessed time of Nabi (ﷺ) the evil ways of women were not apparent. This happened after the time of Nabi (ﷺ) meaning of the words of Hadhrat Ayesha (رضي الله تعالى عنها) is this that the command for its prevention is necessary. And to emphasise its necessity they included a and mention which means necessary to stop. Therefore from the words of Hadhrat Ayesha (رضي الله تعالى عنها) this is proven that it is necessary to enforce the (commands) or law of prevention because of the appearance of improper ways. That is why it is established that evil ways are prevalent in society then command for its necessity and prevention will be established. Otherwise its necessity will not remain correct.

And from this Hadith it is established that the prevailing of evil ways only took place after the time of Nabi (ﷺ). Hence its necessity i.e. the command for its prevention automatically becomes established. In doubts this proof that this statement of Hadhrat Ayesha (رضي الله تعالى عنها) cannot entirely prevent the women. Because Hadhrat Ayesha

(رضی اللہ تعالیٰ عنہا) command for the prevention was pending on such a condition which was not apparent, they this command for prevention will also not exist. Because for a condition to be enforced at applied its condition must be necessary. (For example: prevention of women attending Musjid will only take place when evil is found).

That is why this can be mentioned i.e. Nabi (ﷺ) did not see these ways (of the women) that is why he did not prevent the women. Therefore the permission for entering the Musjid for women is till remains applicable. Statement is correct that Nabi (ﷺ) did not see this way therefore he did not prevent the women from entering the Musjid. But when he further mentions is according to him because we've just mentioned that from the statement of Hadhrat Ayesha (رضی اللہ تعالیٰ عنہا) statement that improper ways necessitate the law for prevention. Therefore the statement of that although evil ways one found the law for them attending Musjid remains applicable how can this be correct? Yes if Ibne Hajr does not accept this necessity that is by evil becoming apparent does not necessitate the command for its prevention which is understood from decision and statement. Then there are two answers for this.

Firstly we take proof from Hadhrat Ayesha (رضی اللہ تعالیٰ عنہا) which she proposed and from the statement is necessity is established that is that Hadhrat Ayesha (رضی اللہ تعالیٰ عنہا) because of evil be apparent has established the command and necessity for its prevention do not accept this and shows the thoughts of Hadhrat Ayesha (رضی اللہ تعالیٰ عنہا). We take proof from the statement of Hadhrat Ayesha (رضی اللہ تعالیٰ عنہا) and not from the decision of. Secondly it is that Hadhrat Ayesha (رضی اللہ تعالیٰ عنہا) because of evil be apparent shows the necessity and command for its prevention is not only because of her choice or thought but she thought it to be the command of Allaah. And she had the narration of the women of Bani Israeel present with her as strong proof.

Therefore this is established that because evil is apparent and the command for its prevention is necessary then for to say that Nabi (ﷺ) didn't see these evils and didn't mention any prevention from it for this reason the command for its permissibility is still applicable is not correct in any way. And its example is this that in grape juice until the quality to intoxicate is not found it will be correct to say this concerning it that if it changes into liquors it will be to drink it.

However, if someone says this can never be correct in any way which means because it was not liquor that is why it is not Haraam and the order of it being Halaal still remains applicable which means that after turning into liquor the law for it being Halaal still remains and the order for it becoming Haraam did not become applicable. This can never be correct Also has this doubt in this proof that if evil becoming apparent necessitates the command for its prevention then Allaah Ta'aala knew that evil is going to become apparent. Why did he not send the commend for its prevention.

Verily Allaah Ta'aala knew that evil would prevail but it did not prevail then and it is not necessary to send the command before it prevails, otherwise these commands which were made during a certain time then none of these commands could be defended against the objection of. The command for Tayamum was revealed in that journey when the necklace of Hadhrat Ayesha (رضي الله تعالى عنها) got lost and it was in such an area where there was no water when the people became worried Hadhrat Abu Bakr (رضي الله تعالى عنه) reprimanded Hadhrat Ayesha (رضي الله تعالى عنها) which caused her distress after this the order for Tayahum was revealed. They anyone can mention to that Allaah Ta'aala knew that these necessities will become apparent and water will not be found. Why didn't Allaah reveal the command to make

Tayuamum from before this? And in this way there are thousands of laws which were revealed after specific happenings caused at specific times if in all of this there is a doubt then whatever answer Ibne Hajr will give to them we will give the same answer to his objectives.

Secondly is this that verily Allaah had knowledge of this that evil will become apparent, and he already revealed an Ayaat concerning the command for its forbiddance, which means that he made it Haraam for the women of Bani Israeel to enter the Musjid. Therefore there was no necessity to reveal another Ayaat concerning this. However, it is sufficient that Nabi (ﷺ) made mention if the command of the previous Ummat in front of us. Also had this doubt that because if evil its prevention became necessary then it should for those women who have evil intentions and who're involved in evil? To stop all the women is incorrect when evil and evil thought get manifested in a women then it is difficult and virtually impossible to verify which of these women have evil thoughts and are involved in evil.

And if a few women permission for them to attend remained then all the women will make this plan and attend thus saying that they do not posses evil thoughts. Even if we place an inspector with a whip at the Musjid door it will be impossible for us to distinguish between the women with good intentions and those women with bad intentions. Because evil thoughts and intentions are found inside a person, which no one can find out besides Allaah he only has the knowledge of this unseen. Then in this condition is it not possible to prevent those women with evil intentions. That is why it is necessary that all the women are included in the command of its being disliked so that this evil can be completely prevented. Its example can be taken from Shariah that the hypocrites and Jews should be present in the assistance of Nabi (ﷺ) they should mention the word

and the should use this word to show disrespect and the true Muslims should use the same word but they should use in this meaning that Nabi (ﷺ) look towards them. This meaning is correct and right.

But because the hypocrites and Jews used this word to show disrespect and to mock Nabi (ﷺ) and there was not apparent way to know and to stop those people who said it to mock Nabi (ﷺ). That is why Allaah Ta'aala stopped all the Muslims from using this word. Therefore here also it is difficult to distinguish between those women with good intentions from those with evil intentions. That is why it is necessary to prevent all the women.

Also from the narration mentioned about the Bani Israeel women it is proven that this forbiddance for women attending the Musjid was for all the women. That is why this doubt of Ibne Hajr is not correct. It has been narrated from Abdullah Ibne Masood (رضي الله تعالى عنه) that the men and women of Bani Israeel should read Namaaz together and if any women had a friend they should wear legs made out of stick so that they could become taller and get a chance to look at their friend then Allaah Ta'aala made these women menstruate. Then Ibne Masood (رضي الله تعالى عنه) takes the women out of the Musjid the way Allaah took out those women. Says that the narrator of this is authentic Abu Ann Shaibani says I say Ibne Masood (رضي الله تعالى عنه) on the day of Jumah removing the women from the Musjid and he was saying move out go to your homes this is better for you. Says that this narrator is trustworthy.

From these narrations this is clearly understood that Abdullah Ibne Masood (رضي الله تعالى عنه) should take the women out from the Musjid in Jamaate Jamah. He told the people to take the women out of the Musjids. He made mention of the event that took place on the women of Bani Israeel that they were taken out of the Musjid because of their evil thoughts and evil ways. He gives Muslims the same order and he established this to be

the order of Allaah. Therefore because this narration of Ibne Masood (رضی اللہ تعالیٰ عنہ) is in the and its meaning is close to the meaning of Hadhrat Ayesha (رضی اللہ تعالیٰ عنہا)'s narration and its chain of narrators are trustworthy just like explained this. That is why from the two Hadiths in this matter or subject this is proven that in women at the time when evil and wrong thoughts are being introduced Allaah Ta'aala commanded that they should be taken out of the Musjid. Therefore it is Makrooh-e-Tahrimi for them to go to the Musjid after this we want to see that after the time of Nabi (صلی اللہ علیہ وسلم) which Sahabas, Taabreens, Aalima, Maytahideen, Fuqeha and Muhaditi thought it Makrooh or prevented the women folk from entering the Musjid.

It has been narrated from Ibne Umar (رضی اللہ تعالیٰ عنہ) that Umar Farouk (رضی اللہ تعالیٰ عنہ) wife should go for Esha and Fajr Namaaz to the Musjid then she was told why do you go although you know that Hadhrat Umar (رضی اللہ تعالیٰ عنہ) thinks of your going to the Musjid as Makrooh and he is shameful (does not like this) of this action of yours. Then she said why he doesn't stop me from this. Then the people told her he does not stop you for this reason he does not want to go against the saying of Nabi (صلی اللہ علیہ وسلم) which is do not stop the (women folk) servant of Allaah From Allaah's Musjid.

From this narration this is clearly proven that Hadhrat Umar (رضی اللہ تعالیٰ عنہ) thought it to be Makrooh for women to attend Fajr and Esha Namaaz and he disliked this and this dislike of his without any doubt was only because of the fear of evil which mentions in. Inthis narration is like this when this wife of Hadhrat Umar (رضی اللہ تعالیٰ عنہ) asked his permission to go to the Musjid then Hadhrat Umar (رضی اللہ تعالیٰ عنہ) should keep quiet. But explains this narration and says that Hadhrat Umar (رضی اللہ تعالیٰ عنہ) keeping quiet was not because of his happiness but because of dislike. In the same way Allahma Zurqaani in the of he explains that the

reason for Hadhrat Umar (رضي الله تعالى عنه) quietness was because of dislike.

Remaining is this doubt that is Hadhrat Umar (رضي الله تعالى عنه) thought it to be Makrooh why didn't he prevent it? Its answer is this that this is the tale of his wife. She made this condition at the time of marrying Hadhrat Umar (رضي الله تعالى عنه) that he should not stop her from going to the Musjid. That is why Hadhrat Umar (رضي الله تعالى عنه) did not stop her so that he does not go against his promise but he disliked her going and thought it to be Makrooh. And if there is doubt in this that Hadhrat Umar (رضي الله تعالى عنه) thought it to be Makrooh then why did he accept this condition at the time of marriage? Its answer is this that at the time of marriage the condition of the women did not reach this stage of evil and sinning for Hadhrat Umar (رضي الله تعالى عنه) to think of their coming our as being Makrooh. That is why this condition was introduced after this because of evil and sinning becoming apparent. Although he thought it to be Makrooh because of fulfilling his promise he did not prevent her from going to the Masjid.

In this Hadith the reason for not stopping preventing was because of fear of going against the saying of Nabi (ﷺ). Firstly this was not explained and mentioned by Hadhrat Umar (رضي الله تعالى عنه) that this was the reason. It is possible that was the conception of the people. Secondly doubt can be found in this that if he did not prevent it because of the saying of Nabi (ﷺ). The why did he think it Makrooh?

The actual fact is this that he thought it to be Makrooh because of fear of evil, and the reason for preventing her was to fulfill the promise and to fear because of evil and think it to be Makrooh does not oppose the saying of Nabi (ﷺ) which is and further statement is that for women to attend Eidain is Makrooh and Tirmizi noted this statement down from and noted it down from and. The Shawafi say only those women can go who're not elegant and beautiful

it is preferable for them to attend the Eidain. But not for those who adorn themselves and in that Hadith where it is mentioned to take those women who conceal themselves. Our companions answer this and say that, at that time people were saved from evil the opposite of today's time. and that is why this has been established from Hadhrat Ayesha (رضي الله تعالى عنها) narrations with its chain of correct authentic narrators (-) that she says that if Nabi (ﷺ) saw the improper ways of the women he should have objected and stopped them from attending the Musjid the way women folk of Bani Israeel were stopped.

Says that according there is a difference concerning women attending Eidain. One group thinks that is their right to attend Eidain and they're Hadhrat Abu Bakr (رضي الله تعالى عنه) Hadhrat Ali (رضي الله تعالى عنه) Hadhrat Umar (رضي الله تعالى عنه) etc. The second group prevent women from attending and from amongst them are Arwaa (رحمه الله تعالى), Qaasim (رحمه الله تعالى) Yahyah Asari (رحمه الله تعالى), Imam Maalik (رحمه الله تعالى) and Imam Abu Yusuf (رحمه الله تعالى). Imam Abu Hanifa (رحمه الله تعالى) at one time granted permission and prevented it the second time.

Because of these (obligations or excuses) caused through the fear of evil it is not permissible for women to attend Jammat for example. If a women uses perfume and go. And in the statement of Nabi (ﷺ) that if any of your wives seek permission from you to attend the Musjid then do not prevent them from this. And there is no objection regarding the prevention of women attending Jamaat made by the Sahaba. And in the Hadith of Nabi (ﷺ) those people who were stopped from preventing the women from attending the Musjid it was these people who stopped them and disliked this action because of pride and jealousy. This type of dislike or jealousy of the men was stopped.

Those Sahaba who disliked this and stopped the women from attending the reason for their dislike was caused because of the fear of evil and this type of disliked is permissible and this is what Nabi (ﷺ) meant when he mentioned and this is what is meant in the Hadith of Hadhrat Ayesha (رضي الله تعالى عنها). From this statement this is clearly proven that those people who said it is Makrooh and prevented women from attending five times Salaat and Eidain are as follows:

Hadhrat Ayesha (رضي الله تعالى عنها) (Hadith no 29,30), Hadhrat Abdullah Ibne Masood (رضي الله تعالى عنه) (Hadith No 32,33), Hadhrat Umar Farouk (رضي الله تعالى عنه) (Hadith No 34), Sufyaan Sauri (رحمه الله تعالى), Abdullah Ibne Mubrak (رحمه الله تعالى), Imam Maalik (رحمه الله تعالى), Imam Yusuf (رحمه الله تعالى), Ebrahim Naka'i (رحمه الله تعالى) Yahyeh bin Saeed Answari (رحمه الله تعالى), the nephew of Hadhrat Ayesha (رضي الله تعالى عنها), Qaasim (رحمه الله تعالى) and Imam Abu Hanifa (رحمه الله تعالى). From this statement the readers will understand that the prevention of women attending the Musjid and Eidain started in the time of the Sahabah (رضي الله تعالى عنهم), and the basis for this prevention is the command of Allaah Ta'aala which he revealed at the time of evil and sinning for the women of Bani Israeel.

And from the time of the Sahabah till today one group of Muhaditheen and Tuqaha still prevent this whose details have been mentioned. After looking at this topic if in the hearts of women this disappointment is created that they are being deprived of Sawaab which has been mentioned for the men. That for one Namaaz they get Sawaab of 50 000 Namaazes then to comfort them there are two answers. Firstly they should not be disappointed, they should be happy that Allaah Ta'aala made their Namaaz which is read at home better than the Namaaz in Musjide Nabawi (look at Hadith no 4) men have to travel to Musjid to attain this Sawaab. And it is mentioned that for women to read Namaaz at him is better than the Musjid. Therefore women

should be happy and grateful and not distressed and disappointed.
Secondly it is that to leave the home and go out and participate in congregation Allaah has specified this for men. And in the same way war, lectures, and etc. these are lots of work that are associated mostly for men (the Mentioning) Therefore women have gained because of the revelation of Allaah. Therefore they're prevented from desiring those things which be specified for men. In the same way for them to think about attending Namaaz with Jammat is incorrect. And in reality no mother how nice or good a work may seem it is our duty to keep ourthoughtss and actions according to the pleasure of Allaah and his Rasul (ﷺ). Whatever Allaah and his Rasul (ﷺ) has shown to be good and beneficial we should accept and understand it to be good and beneficial.
Nabi (ﷺ) has mentioned that for women to read Namaaz at home is better and beneficial than reading Namaaz in his Musjid and with him. Hence women should accept and follow this they should understand that this is beneficial and better for them. And they should leave this thought that by reading Namaaz with Jamaat in the Musjid they will gain extra Sawaab a few of the claimants of the practices of Hadith deceive the people that in opposition to Nabi (ﷺ) the prevention made by the Sahaba is not accepted because in opposition to the sayings of the Sahaba cannot be used as proof.
However, this is a deception or misunderstanding because in front of a Hadith the statement of the Scholar cannot be used as proof when they contradict each other and this contradiction could not be proven here between the Hadith and the statement made by the Sahabah. Nabi (ﷺ) granted permission because there was not evil at the time and the Sahabas prevented them from attending the Musjid because of the appearance of evil. Just like how it was

explained in the Hadith by Hadhrat Ayesha (رَضِيَ اللهُ تَعَالَى عَنْهَا) there in the Hadith Marfu and the statement made by the Sahabas there is no contradiction. Secondly this prevention is not only the statements and actions of the Sahaba but in Hadith No 5 which is in of it has been proven that by the introduction and appearance of evil Allaah Ta'aala order its prevention and in this condition it is not necessary to leave a Hadithonly because of statement of the Scholars which has been already explained in the third chapter.



Female Leadership in Islam

1. Women's Leadership in Islam

With Benazir Bhutto's success in the November 1989 elections in Pakistan, and Khalida Zia winning elections in 1991 in Bangladesh, many questions concerning the women's role in politics have been thrown up in the Islamic world. Thus, the need was felt for an investigation into the role of women in Islam with special reference to politics. This study looks at the question in an academic light using religious sources, commentaries and modern research into the subject area.

In his studies of notable journals, periodicals and books dealing with women's role and Islamic politics, the author noted three major categories.

1.1. Those that do not discuss female leadership, althoughthey deliberate on the general role of women in Islam.
1.2. Those that argue against women becoming Amirs/Leaders of States without, substantiation.
1.3. Those that state that women cannot become Leaders, providing minimal or flimsy substantiation for their arguments. These three categories will be referred to as the essay progresses.

(As for the above see Appendix 1. 2. 3. Respectively.) pp.

A need was therefore felt for a detailed, exposition, using the Quran and Ahadith, as the main sources of Islamic law to bring to light Allah's law concerning women's leadership in Islam. By probing thus, one will be able to establish authoritatively what the general role of women is according to Allah's wisdom. Also, spheres of activity prescribed for men and women may surface while the law governing women's role is probed.

1.4 The thesis rotates around ayat (verse) 4:34 with the various commentators opinions on it. Moreover the views of modern researchers on the various aspects of the commentaries are stated. In this exposition the Quran, which is undoubtedly the root of all jurisprudence, is used as a primary source, together with the Ahadith and commentaries.

The Ahadith also called the sunnat, is a collection of the sayings of Muhammed (ﷺ), and is the second source of proof in Islam.

As explained, the Sunnat has been classified as the second source of law, next to the Noble Quran. The word Sunnat means, an act done, or a confirmation given by Muhammad (ﷺ). "Confirmation" dates means something said, or done, which is transmitted to Muhammad (ﷺ) who either confirms it in express terms or remains silent without giving any indication of disapproval. Such silence is also Sunnat.

1.5 Allah in the Noble Quran repeatedly calls for the adherence to the Sunnat of Rasulullah (ﷺ). This proclamation applies to all fields of experience, namely, the political, social, economic, in worship, etc.

The supporting verses prove conclusively that conformity to the way, manner of speaking, mode of conduct, tactics, approval, silent approval, rejection and even displeasure of Rasulullah (ﷺ) leads to the formation of Shariat the sanctioned road.

"Say, obey Allah and His Rasul, but if they turn their backs, Allah loves not the disbelievers."

"And obey Allah and the Rasul so that you may be blessed."

"O those who believe, obey Allah and the Rasul and those in authority among you."

"And obey Allah and the Rasul and beware."

"So fear Allah and set things right between yourselves and obey Allah and His Rasul if you are believers."

"And whatever the Rasul gives you accept it and whatever he forbids you abstain from it."

"And whoever disobeys Allah and His Rasul and transgresses His limits, He shall admit him into the fire where he shall remain."

"And whoever disobeys Allah and His Rasul has gone astray into manifest error."

"And whoever obeys the Rasul, there by obeys Allah."

"And if you obey Him (the Rasul), you shall find the right path." (See footnotes for more references.)

1.6 The need to follow the Rasul can be understood from the appropriate verses;

"And the Rasul does not speak out of his own desire.It is not but Wahy (divine revelation) revealed (to him)."

"Say, if you love Allah, follows me and Allah will love you and forgive your sins."

"Certainly you have in the Rasul of Allah a beautiful pattern (of conduct) for him who hopes in Allah and in the last day and remembers Allah much."

1.6 Thus the importance of following directives from the Ahadith has been firmly established. In this essay, quotations from the Ahadith will be taken to be the law of Allah concerning women in Islam.

The intention is to pursue a broad chronological sequence, beginning with the story of the Queen of Sheeba and the Prophet King Suliman as depicted in the Quran; then viewing the conditions of women in the Days of Ignorance, prior to the advent of Muhammed (ﷺ), followed by the

directives received from the Quran and Ahadith about women.Finally, the incident of the Battle of Camel (Jamel) will be related briefly, with comments.

2. Hermeneutic Approach

The word "hermeneutics" is derived from a Greek word which means "to interpret".According to Kruger, hermeneutics is defined as: "...the word should not be restricted to texts only, it also applies to the understanding of works of art, music and so on.And it should not be restricted to the understanding of something in the past; it also refers to the understanding of contemporary things."

2.1 In this study,an investigation is undertaken to determine what Allah's order is concerning female leadership,using this as a central hermeneutical concept for a search to adjust life to the level of the text.The central thesis and source for the argument will be verse 4:34.

3. Queen of Sheeba Bilkis

Another common conclusion erroneously reached by many people in their support for female leadership is the story of Prophet King Solomon,and Bilkis - the Queen of Sheeba.I shall disprove this misconception after summarizing the relevant contents of the Quran in point form:

3.1 Above the quoted verses of Number describe the story of Prophet King Suliman and Bilkis, Queen of (Sheeba). So me say that based on these verses, women can become leaders of a nation or a country.
However the passages reveal the following:

3.1.1 Queen Bilkis ruled over her people, and the symbol and seat of authority was her magnificent throne.

3.1.2 King Suliman called her to submit to his religion his rule, his Kingdom.

3.1.3.) She feared King Suliman would destroy her Kingdom if she did not submit.

3.1.4.) King Suliman returned her gift and threatened to attack her Kingdom to disgrace her.

3.1.5.) A period under the instruction of a Suliman brought over her throne (seat of government).

3.1.6.) She came from a disbelieving people.

3.1.7.) She submitted with Suliman to Allah.

3.1.8.) Queen Sheeba did not make unilateral decisions but consulted her cabinet.

From the above a pertinent fact emerges.The Queen ruled before she submitted to the will of Allah and accepted Islam.This fact alone cuts through the backbone of the arguments for female leadership.So ridiculous is this proof that it is like using the actions of the pre-islamic idolaters as proof for an Islamic practice.

Queen Sheeba's leadership was in the state of Kufr (disbelief). Muslims follow the Deen as expounded by Muhammad and Islam as opposed to Bilkis, in the state of Kufr. Also, once Muhammad had proclaimed that a law contrary to an existing one, for example, then that proclamation would be adhered to.Moreover she, Bilkis, submitted to Suliman's law and Suliman took over her kingdom by taking control of her throne (seat of government).

Critics have taken the leadership aspect out of context.In context, one has to admit that had Bilkis even been a Muslim (which she was not) at the time of her rule, she was overthrown by a prophet.This point gives greater weight against female leadership than for it.

Lastly, the fact that after submitting to Islam, she did not reclaim her throne implies that even Bilkis agreed to be ruled by a male. The arguments in favour of female leadership using this story is therefore baseless.

Allah says;

"Men are in charge (or; are the protectors) of women, because Allah has given preference to the one over the other that is (men), to provide support for (women) from their means.Therefore righteous women are obedient..."

4. Circumstances for Revelation of Verse Q.4:34.

Saeed bin Rabi slapped his wife Jabia, because of some problem. Her father took her to Nabi (ﷺ), complaining about his son-in-law.Nabi (ﷺ) stated that there should be equal retribution.

Jibrael (عليه السلام) came down with this verse "Men are ..." Nabi (ﷺ) called them and said:"I desire something whilst Allah desires something else and there is goodness in what Allah desires.

Jane I.Smith states;
"A number of factors make the situation of women difficult to describe as well as to assess. The issue of the role of women in Islam is an extremely sensitive one today both in the Muslim world and in the world of Western scholarship." Samar F.Masaud advises; "It is therefore, imperative for any Muslim government to have clear-cut idea about the rights and responsibilities of Muslim women in order to form a real Islamic society."

5. The position of Women: Expounding on verse 4:34. We proceed to investigate the law and order of Allah in the light of the Quran, and hadith using also various translations with comments from scholars of the past and present.
5.1. Mufti Shafi explains after translating 4:34 as "Men are rulers over women "that..." for any congregational organizational activity it is necessary, according to intelligence and common folk law that there should be a head,

an amir or Hakim (ruler) so that at the time of difference of opinion one may take directives Allah has chosen men due to their superiority in knowledge and action and this is such an obvious matter that no understanding woman or man will deny it."

On P.396 and 397 he expounds:
"...just as man's head is superior to his hand, or man's heart is superior to his liver, just as the superiority of the head over the hand does not lessen the status and importance of the hand, similarly man being the ruler over woman does not lessen her position, for both are like parts and components-man the Head and woman the body." Moreover on P.398, he mentions the reason for differences of responsibility; - "...before marriage her expenses are borne by her father and afterwards, on marriage, by her husband... "... Due to her physique the responsibility of earning and providing is on the man and not on her... "...one must not think that women have been made dependent on the man's maintenance and as a result her position is the lesser, but due to the division in ruling there is a division of duties also..."
5.2. Why men are regarded as superior Men's superiority is due to knowledge, action, physique and power of spending on women which gives rise to different responsibilities and duties.This however does not lessen the value and importance of women. Allah states; -
"He said; Allah has chosen him (Taloot-Saul) to rule over you and made him grow in knowledge (wisdom) and physique (stature), Allah gives his sovereignty to whom He wills. He is Munificent and All-Knowing."
These two qualities, ie.knowledge and physique, are prominent in men, not women.They qre qualities regarded as indispensable requirements for leadership.

"And WE SAID TO ADAM-dwell with your wife in Jannat (paradise) and eat of it as much as you wish and whatever

you will but keep away from THIS tree, least you shall become transgressors."

Adam, the male, was addressed and given injunctions with the responsibility towards the female under him.The consequences of her actions would also be his responsibility. the author of Tafseer Haqqani, after translating verse 4:34 as "Men are rulers over women...", states;- There are two types of superiority... one, ZAATI (being),which Allah has created in man's being, the other AARDHI (temporary),due to what man spends on her" From this it is derived that the causes of superiority are firstly, one which is natural and secondly, one which is due to man's maintenance of women.

Elucidating on verse 4:34,Moulana idris Khandhlevi writes;- "The reasons for man's superiority (same as Tafseer Haqqani) are differences due to superior intellect, knowledge, understanding, proper organization, insight and foresight, physical strength and ability to act..thus nabuwat, imamaat, khilafat, kingship and witnesses are all for men, on them is the privilege of jumuah, jihaad, eidaan, azaan, khutba, jamaat, inheritance laws, control in nikah contract, marriage to more than one wife, choice of divorce,and ability to complete the salaat without disturbance, fast, and freedom from menstruations, post-nuptial discharge of blood and delivery of babies.

5.3. Qualities Valued In Women

The qualities which Islam values in women are those of obedience and fidelity which can both be found in virtuous women.Then, commenting on the latter part of verse 4:34, he (Mufti Shafi) in order to define an obedient wife quotes two ahadith;

"Best is the one that when you look at her she pleases you and when you ask her to do something she obeys you and

when you are away from her,she protects you by protecting her virtue and your property"

"It is (recorded in) one hadith that Rasulullah (ﷺ) said; "A woman who is obedient and submissive to her husband, for her the birds in the air (skies), fishes in the oceans, angels in the skies, wild animals in the jungles seek forgiveness." (Bahr Muheet)

5.4. Men and Women in Contrast the difference between man and woman is like the difference between an orange and a corn, the orange grows on the tree and the corn on the ground.This does not imply that one is superior to the other. Both provide nourishment in different fields and due to the physical strength of each plant, they are naturally allotted positions which provide optimum protection for to each other. She has physical weaknesses, thus she cannot compete with men, the weak cannot rule over the strong. Destiny and fate has kept softness and delicateness in the constitution of women while strength and vigour in the man,thus to be enlisted in the army,to take part in war wherein to kill or be killed, display courage,valour and bravery in the battlefield, to control the reins of government and protect the borders with supervision and to maintain the government, requires a great deal of intensive action which a man is capable of and the weakness of woman, due to pregnancy and delivery makes her helpless, which is an open proof.

"Women shall with justice have rights similar to those exercised against them, ALTHOUGH MEN HAVE A STATUS ABOVE WOMEN, Allah is Mighty and Wise" The one (male) with the higher status rules over the one with the lower status (female).

In "Bukhari", Muhammad (ﷺ) explains the intellect and deen of women; Narrated Abu Said Al-Khudri (رَحِمَهُ ٱللَّٰهُ تَعَالَىٰ): "Once The Rasul of Allah (ﷺ) went out to the Musalla

(to offer the prayer) of Id-al-Adha or Idal Fitr prayer.Then he passed by the women and said,"O women! Give alms, as I have seen that the majority of the dwellers of Hell-fire were you (women)." They asked, "Why is it so, O Rasul of Allah (ﷺ)?" He replied, "You curse frequently and are ungrateful to your husbands. I have not seen anyone MORE DEFICIENT IN INTELLIGENCE AND DEEN (RELIGION) THAN YOU." "A cautious sensible man could be led astray by some of you."The women asked,"O Rasul of Allah (ﷺ)! What is deficient in our intelligence and deen? "He said,"Is not the evidence of two women equal to the witness of one man? "They replied in the affirmative.He said,"This is the deficiency in your intelligence.Isn't it true that women can neither neither prays nor fast during her menses?" The women replied in the affirmative. He said,"This is the deficiency in your deen".Moreover Allah clarifies the position of women as witnesses by stating; "And call to witness from among your two men witnesses, but if there be not two men (available), let there be A MAN AND TWO WOMEN of those you choose for witnesses, so that if one of the two (women) errs, THE OTHER MAY REMIND HER" In rendering evidence, two women equal one male, for her memory fails often and forgetfulness shrouds her.This quality is not conducive to proper leadership.

The differences between man and woman are clear as explained by Al-Khuli; "The differences between males and females are due to:

(a) [A woman's] menstruation, conception, giving birth, Breast feeding, staying up nights and hard work during the day. [These] lead a woman to symptoms of Depression and weakness of constitution.The man is Free from all this.

(b) Her work at home is limited in scope and experience; it is almost routine.As for the work of the man, It is wide in scope, extensive in experience and varied in relationships, full of scheming and artfulness. This leads to a marked difference in their intellectual capacity.

(c)The woman in singing lullabies to her child does not need a powerful brain, or perfect genius; rather, she needs a kind nature and a gentle disposition. Nothing gives her more joy than to descend to the level of her child and to live with him in the scope of this world, thinking with his brain, playing and walking in his language, playing with whatever pleases him."

As for the male, he does not need affection to deal with people outside; rather he needs perseverance and strength of character, incisive intellect and initiative.
A woman is obsessed with the forbidden because she is silly, she has bad faith, she contradicts, she is ignorant, has a weak will and is incapable of patience in adversity. All this is because of a natural weakness in character.... She is similar to a developing child in her instinctive ignorance and curiosity. Ignorance and curiosity are concerned with destruction before they are trained to lead to constructive purposes.

Thus Islam gives precedence to man because of the way he is created for he has been endowed with characteristics and capabilities, both physical and intellectual which have not been given to women that enable him to earn a living. Furthermore, scientific research has found that there are biological, physiological, and psychological differences which account for the "higher percentage of geniuses among men and the higher incidence of imbeciles among women.

"Islam is the religion of innate nature," says Ahmad Shalaby,"as it admits that man is better than woman in

certain matters...." And a work, sanctioned as official Islamic doctrine by the Muslim World League in 1973, discussing the verse cited above, declares:

"...When once we admit that the physical and intellectual superiority of man over woman has to depend upon, and take advantage of, the intellectual resources and superior strength of the opposite sex; and this is precisely what Muslim doctors hold to be important and significance about the verse under consideration."

5.5. Various Possibilities There are a number of possibilities that can be considered, but three which in this context saw the most logical:

5.5.1. Men are rulers and women are subjects;

5.5.2. Women are rulers and men are subjects;

5.5.3. Both are on a par - no one is ruler and no one is subject;

shariat has opted for the first possibility that men are rulers (maintainers) over women; due to this, the man's responsibility is the total maintenance of the woman.If the man is not the ruler as in the second possibility, then the dowry which is due to the woman, will not be compulsory and the woman will not be responsible for all the man's expenses, this will include bringing up and educating the children,as well as all the living expenses.If women opt for the third possibility,(neither men nor women are rulers or subjects) then in the first instance the dowry is terminated,the need for maintenance of children falls away,since equality demands that each one (man/woman) fends and is responsible for him or herself. Every shared expense, ie. Food, accommodation, Children's education, clothing must be borne equally ie. Half by the man and half by the woman. Any personal expenditure, for example clothing, has to be borne individually.She has to accept the responsibilities on equal terms as well.

5.5.4. Physical and Mental Attributes Of Men, Which Women Lack. The decision which Shariat made is lofty and full of wisdom and is in favour of women and there could be no other beneficial decision for them. Allah (Haq Taala) has made her subject to her husband due to her weakness, feebleness and difficulty she would experience in making a living; she should feel proud of her femininity and delicateness, while leaving the responsibility of providing for a family to the man, thus Freeing herself from extra burdens. (Mariful Quran; p.71-72) Muhammad al-Ghazzali asserts that "the concepts... of the supposed inferiority of woman as such in Islam is pure fiction and should be completely disregarded. On the other hand, the marked difference in the physical, mental, and emotional constitution of man and woman is a brute fact." He then goes on to say that "In the Sunnah, the tradition that women are inferior to men in respect to religion and the intellect has been unequivocally explained.... The explanation, one that is commonly offered, is that her "religious inferiority" is because she menstruates and thus is exempted from prayer and fasting at certain times and because the testimony of two women is needed to balance that of one man, since women are naturally more forgetful than men. (The Syrian femininist Fatme Jouyouchi remarks that this latter restriction is a standing joke among Muslim women who maintain that no law is broken when eight women ride in an automobile instead of the required four because eight women equal four persons!) "It is regrettable;" concludes al-Ghazzali, "that some women feel that Islam thinks ill of them..."

A clear statement of this is put forward by Muhammad Abdul-Ra'uaf, Director of the Islamic Centre in Washington, D.C. "To an ordinary observer, men and women share common biological and mental ingredients which justify and call for their legal, moral and economic

equality. Yet there are some somatic differences between men and women, affecting their temperaments, and consequently call in some situations for different but reciprocal sex roles...

"It should be known that a woman cannot be ideal in all her ehaviour and conduct, because her biological constitution makes her weak in initiative, will, and personality in a general way.This is what makes her deficient in her work, which she does not complete, and she does not fulfil her duties as she should. In this case, (the man) must bear with her as much as possible. Meanwhile she should not be left with freedom of action, for this would lead to further deviation and she would ignore her duties and would not fulfil them to the utmost of her capacity."

"A look at the present and the past and at human history shows that the most famous were men. The most famous philosophers,physicians, mathematicians are men and not women, even until this day and even though women have had opportunities for learning for over a hundred years..."

5.5.5. From Religious Point of View the commentary of Ml.Idris is substantiated by the verses such as; "And (remember) when Allah made His covenant with the Ambiyaa (Prophets), (He said) there are the Books and the wisdom which I have given you." Risaalat (apostleship) and nabuwat (prophethood) was amongstmales only. "Praise is to Him who transported His servant by night from the sacred masjid (of Makkah) to the Distant Masjid (of Jerusalem)" One of the greatest miracles wherein the Rasul of Allah (ﷺ) spoke to Allah was granted to the male. Similarly Allah spoke to Musa.

"(O Nabi, tell the people) when your Rabb (Sustainer) said to the Malaikah (angels); I am to place a Khalifa (deputy) on Earth..." the subsequent creation was of Adam (male) as deputy, and nota female.

2) The Rasul of Allah (ﷺ) said: "Jumuah is such an Obligatory (act) that it is obligatory for every Muslim to perform it with Jamaat (in congregation) except for four Persons a slave who is owned by someone, women, children and the sick".

When she is not forced to go out for the important act of juma'ah, how can a woman then be allowed to do so on the pretext of freedom and leadership?

The instructions were given to Adam, in order to prove the worthiness of mankind. This responsibility was not given to the female.

In the Noble Quran Tafseer-e-Usmani one finds this verse"Men are made Lords over women for that Allah gave greatness to one over the other". The following commentary is rendered:

"The degree of man is greater than the degree of woman." The difference in degree must bring about differences in commandments and injunctions. These differences in their respective laws are all-wise and all- prudent. Justice demands that the weaker sex must be given some lenient laws and thestronger sex must be given more difficult laws befitting his heavier responsibilities and his field of action. If the woman was given like responsibilities, it would be against the famous hypothesis that "God does not charge anyone except according to his capacity". It is a mercy on the woman that she is given fewer responsibilities and as such more lenient laws."

Men by nature are made lords over women. They are the Protectors and defenders of women. They are their masters and husbands. They are their maintainers and cherishers. They are the managers of their affairs. The superiority of man over woman is established on two major grounds; the one is natural and the other is artificial. The natural (Wahbi or God's given) reason is that God has given excellence to

some over others in their inherent qualities and virtues. The basic qualities are knowledge and the power of action. In these two basic virtues, which are the source of all other qualities and perfection, man is superior to woman. The experience of the world at large is in total conformity with this fact that man is superior to woman in knowledge and action, and the whole sociology is controlled by this one single fact. The second reason for the superiority of man over woman is material. Men expend their wealth on women such as dowry-gifts, expenses of food, clothing and lodging and other necessities of life.

A summary of a hadith relates: "Once a newly married companion of the Rasul of Allah (ﷺ), returning (from a journey) to his home saw his wife standing at the door (facing the road). At this he became so angry that he raised his spear to strike his wife but stopped at once when he came to know that a snake inside the house had forced her to the door".

The above denotes that the man is the protector, defender andsupervisor of women's activities. From the commentary of Ml.Usmani we learn that men are protectors and defenders of women, which is a mercy to the women who have inherent qualities that make her weak and feeble. Regarding what a woman's role is, the following verses are explicit; "O people, fear you're Rabb, who has created you from a single person and out of him, He created his mate (Hawa-Eve) and from this twain have spread many men and women" (an-Nisa, 1)

Woman is created for man who is the asal (original). The asal (Original) rules the furu (part), not vice versa.
However, Islam sees her emotion and subjectivity as a strength which helps man, as one can learn from this verse; "It is He who created you from a single being (Adam) and out of him produced his wife (Hawa-Eve) that HE MAY FIND COMFORT WITH HER."

The purpose of creation of Adam was for Khalifat (Vicegerency), while that of Hawa (female) was to comfort Adam, not to rule.

"Your wives are your tillage; therefore go into your tillage in whatever manner you please."

"The women have rights even as they have obligations in an equitable manner."

"Your wives have rights over you as you have rights over them."

" Only a noble man will honour them (women) and only an idiot will insult them."

"The husband is responsible for the maintenance of his wife which includes her right to lodging (sakna), clothing (kiswah)and food and drink (taam wa sharab) and general care (riaya amma)."

The creation of women is for the spreading of mankind, not for rulership. This is further explained in another verse;

"And through them (Adam and Hawa), He bestrewed the earth with countless men and women." and further "Marry such women as please you, two or three or four." Thus definite but different rights are given to men and women.

5.5.6. Polygamy

Polygamy is certainly not imposed; nor is it a universal practice. It is instead regarded as the exception to the norm of monogamy, and its exercise is strongly controlled by social pressures. If it is utilized by Muslim men to facilitate or condone sexual promiscuity, it is no less condemnable in Islamic law, than serial polygamy and adultery, and no less detrimental to the society. Muslims view polygamy as an institution which is to be called into use only under extraordinary circumstances. As such, it has not been generally regarded by Muslim women as ill treatment.

Attempts by the feminist movement to focus on eradication of this institution in order to improve the status of women would therefore meet with little sympathy or support.

5.5.7. Women's status within Islamic Laws and Context the Quran cites men as the protectors of women, the Righteousness of the latter being defined in terms of obedience to men.

A predominant theme in contemporary Muslim writing, expressed by both sexes, is the naturalness of the circumstance in which women because of their innate qualities and characteristics have clearly defined rules and cannot appropriate functions reserved for men. Their somatic and phycological differences determine the distinct but complementary duties prescribed for each. Few Muslim women, even those who may be critical of the restrictions imposed by Islam, are sympathetic to much of what they see as characteristic of Western feminism. In Islam women are freed from many of the problems and concerns that are assumed by men.

Woman already enjoys freedom in Islam. The question liberation therefore does not arise.

5.5.8. Islamic Justice, Different But Complementary

Every social institution, no matter how small, needs a Leader, for if there is no leadership, chaos and disintegration take over. In the case of the family, the role of leadership belongs to the husband, not because of extra merit, but as a responsibility assigned to him by God to safeguard society.

Men are the sole source of every accepted definition of good conduct whether for men or for women.
Women have never as a rule been a true source of anything to do with ethics or good character, even though they bring up the children. The guidelines are provided by the

man.Women have generally misunderstood the Islamic principle. The decrease in the women's responsibility does not mean a decrease in her worth. Justice means that each should do what is best for him or her, and this is what Islam has decreed.

Islam maintains that both types of role are equally deserving of pursuit and respect, and has judged that, when accompanied by the equity demanded by the religion, a division of labour along sex lines is generally beneficial to all members of the society.

It is only in relation to each other and society that a difference is made - a difference of role or function. The rights and responsibilities of a woman are equal to those of a man, but they are not necessarily identical with them. Equality and uniformity are two different things. Islamic tradition maintains - the former desirable, the latter not.Men and women should therefore be complementary to each other in a multi-function society rather than competitive with each other in a uni-function society.

The equality demanded by Islamic traditions must, be seen in its larger context if it is to be understood properly. Since Muslims regard a differentiation of sexual roles to be natural and desirable in the majority of cases, the economic responsibilities of male and female members differ to provide a balance between the physical differences between men and women and the greater responsibility which women carry in the reproductive and rearing activities so necessary to the well-being of the society.

To maintain, therefore, that the men of the family are responsible for providing economically for the women or thatwomen are not equally responsible, is not a dislocation or denial of sexual equality. It is instead a duty to be fulfilled by men as compensation for another responsibility which involves the special ability of women.

Likewise the difference in inheritance for males and Females, which is so often cited as an example of discrimination against women, must not be seen as an isolated prescription. It is but one part of a comprehensive system in which women carry no legal responsibility to support other members of the family, but in which men are bound by law as well as custom to provide for their female relatives.

The Muslim administration of the home should be centred on the principle that the man is chief and is responsible for the administration of the external matters of the home, whereas the woman is responsible for raising the children, social services, and other necessities of society.

It offers the justification for the role of the male as head of the household, as the final decision-maker, and even in some cases as the spiritual authority over his wife and Family.

Al-Abrashi says:
"Man is responsible for the demand of life outside the home. The woman is responsible for things she can do with skill, eg, raising children, sewing their clothing, feeding them and bathing them."

"The authority in the house belongs to man. The children belong to him and he spends on them. He is the owner of the house; he furnishes it and spends on it. Thus authority comes from responsibility, not because of a desire to distract from justice, equality, and the consent of women. It is his responsibility to pay for the home and to protect it."

"Allah has established the relation between man and woman; if observed; one notes that the woman is weaker than the man. She comes to him and surrenders to him, knowing well that he is capable of abusing her rights."

The superiority of men over women is evident in the Professions in which women have exclusive domain... For

the woman has busied herself with the preparation of food since humanity began, she has cooked food since prehistory. She learns it from home in her childhood. She loves food and for it demands appetizers during her pregnancy, while seeking larger quantities of it during breast feeding. However, even after inheriting this profession for thousands of years, she does not reach the proficiency of a man who dedicates a few years to it, nor is she able to compete with him in the excellence of common meals, or in the creation of new tastes or the improvement of the old. She is also incapable of administering a kitchen where there are several workers whether male or female.

Justice is well served in this system, for a woman always knows that the child she is bearing is definitely hers, Whereas outside of a strict system as Islam the man never has that certainty concerning those that are called his children. We must guide boys and girls to roles that affirm their different capabilities. Thus each sex should be placed in a role that is suitable to each.

5.6. The Question of Leadership

5.6.1. Education of Women the differences between man and woman in Islam do not carry with them it the inferiority which the western writers and thinkers tend to squeeze into them.There are many things which on the surface seem low but are in fact higher in spiritual status.Example, submission is seen as a strength when carried out to maintain a peaceful domestic relationship, but has its limits, for women are not bound to carry out injunctions which are against the command and order of Allah.

Women have rights higher than those of voting, these are the rights of a mother, the rights of a wife, of a fiancee, of a friend, who inspires the mind, the emotions and the imagination. If these rights are not realized, or remain only potential in her hands, that would indicate the bankruptcy of her femininity, and these cannot be replaced by law or by constitutional voting rights.

If a woman is to be educated, the most suitable area to concentrate on would be the principles of religion, home making, child-bearing and what is necessary concerning health, worship and human relations. For she who helps her husband in his life cleaning the house, straightening his bed, and arranging his furniture is better than she who reads the newspaper, writes articles, demands voting rights, and equal participation with men in governing the country. By God she is not fit for that.

"We certainly should like to strengthen our community with educated women," said Muhammed al-Ghazzali in 1953 in a statement with which many would agree, "but we should be alarmed to see women take over the reins of government - this would not be natural."

Writing from the perspective of Islam in the U.S., for example, Muhammad Abdul-Ra'uf of the Islamic Centre in Washington, D.C. explains (p.35): "Advantage should be taken of the woman's body and her flesh should not be put on public display... toleration of an evil leads to other evils. First we condone public exposure; next dating and easy mixing; next; pre-marital relations, and open marriages; next., the elevation of homosexuality to an acceptable normal status; and next, uni-sex marriages. Where; and when, shall we stop?" "What is the need for a girl to study science and arts etc... when she does not know how to take care of the house and the family?" The official opinion of the Muslim brotherhood was spelled out by Muhammad al-Gazzali. Min Huna Na'lam (Cairo, n.d) p.204.

"A woman's mission is to be a good wife and a compassionate mother....an ignorant rural woman is better for the nation than one thousand female lawyers or attorney generals." And again"Girls are to be educated in areas that belong to them and not to men. We do not want at all to educate women to be secretaries or managers of offices of

government." A contemporary author warns about the evils of educating women to be equal with men:

"You who persist in educating women: strengthen yourself before you begin your task, make religion her banner waving over her head, and her crown shining over her forehead...or you would lose her character....and would find her education,a path to evil and a way of corruption."

5.6.2. Quality of Equality Malak Nasif (1918) in her al-Nisa'iyyat (p.9), states, "When we study the different classes of society and compare the degree to which women mingle with men, we learn for certainty that the class which mingles most freely is the most corrupt." Shams Pirza's exposition of: "Men have authority over Women, because Allah has made one superior to the other". (p 260) is: (p: 80)

"Allah has kept a difference between the physique and constitution of man and that of woman. Their temperaments are also different and for this reason the Shariah has prescribed different duties and responsibilities to the two different sexes. Therefore, the desire of men to become women or of the women to become men and under the influence of this desire to try to resemble one another is an attempt to interfere with the system of nature, and from the viewpoint of the possible result it is quite useless. Similarly, deviating from the rights and duties prescribed by the Shariah and to change the rights and duties of men and women on the basis of equality, amounts to challenging and wresting from Nature and the Shariah. For this reason direction is given to eschew such a mentality and to seek Allah's grace.

(P: 84) "Allah has granted men the position of authority. One reason for this is that man is superior to woman on account of his nature and constitution, which provide him with the ability to shoulder this responsibility. Accordingly, man has the ability to guard and protect the woman and

also to strive for earning the livelihood. The second reason is that the responsibility of maintaining and feeding his wife and children falls on the shoulders of the man."

Western civilization, which has presented an exaggerated theory of the equality of men and women, has been unsuccessfulin fixing the leadership of the family; as a result of this family life in western society, it has been deprived of discipline.It is an undeniable reality that man has superiority over woman in strength, activity and courage:

This degree of superiority of man is on account of his being a protector and more responsible. Islam has made man Head of the Family, because according to nature he is more fitted for this responsibility. As regards the theory of the equality of the sexes in the West, according to which there should be complete equality between man and woman, it may be mentioned that this is contrary to the demand of nature and wisdom. When there is an obvious difference in the physique and natural capabilities of both the sexes, then their responsibilities should also be different.

That man should have a degree of superiority over woman or that man should be above woman is quite in consonance with nature and reason. With this exception, Islam not only accepts the rights of women but has taken steps to safeguard them under the Shariah laws. The Islamic Family Laws are based on this principle, and therefore, if this basis is destroyed then the whole social system of Islam will be upset.

The above denotes that women due to their mentality and temperaments have to be maintained by men. Also, their Responsibilities, rights, duties and fields of activity are different. Moreover, the Western concept of equality between man women has no place in Islam."

Al-Razi states: "Each of the spouses has rights over the other the purpose of marriage cannot be fulfilled unless they observe their respective rights which are numerous. One of these is that the husband is the leader and custodian." (Kal'amir wal rai).

Al-Razi then quotes Ibn 'Abbas and others on the requirements of pleasant appearance and good companionship which, on the whole, amounts to a diversion from essentially juristic matter to essentially non juristic matters.

According to the majority of classical commentators, the rank given to men over women implies man's superiority on account of "strength, wisdom, and ability to provide maintenance, blood-money (diyya), inheritance and Jihad. To the list,

Al-Razi adds man's eligibility for leadership (Imamat) and judicial function...his right to Talaq and revocation (Raj'a), for a woman is unable to divorce her husband, to revoke a Talaq, or to prevent her husband from revoking it. Similarly, a man's share in the booty is greater than that of the woman.

Leadership is appropriate to the husband.It is thus his duty to protect his wife, and the latter is required to obey him. If she become disobedient, he has the right to discipline her by admonishing her, separating from her, or beating without causing her injury. But what is obedience cannot mean rendering permissible into impermissible and Vice Versa. That is, only men are qualified to participate in Jihad; they take double the woman's share in inheritance and their blood money (Diyya) is twice that of the woman.

What does it mean, then, to talk of equality for men and women in Islam? First we need to see what kind of changes Islam brought to the status of women and what legal rights it actually guarantees for them.

Modern Muslim writers stress the superior position accorded to women at the time of the prophet and insist that still today non-Muslim women have not achieved the rights assured to women by the Quraan. They see the situation of women in pre-Islamic Arabia as having been dismal and the Prophet as having brought social reforms through the fundamental human rights accorded by the Quaran to all persons.

"This pattern of reciprocal relationship, mutual love, co-operation and dedication," says Abdl-Ra'uf, "is the natural Style... This pattern sets a fair equilibrium compatible with sex differences and is by no means inimical to the sense of moral equality. What is important is not quantitative equality, but equity, domestic harmony, peace, love and stability."

It is not a matter of rights," says an official statement on Muslim Doctrine and Human Rights in Islam, "but rather a Charge for man. It is fortunate for women to be exempted from it." Many Muslim women agree. And what is more, they look at their "liberated" female counterparts in Western society as burdened by great and unnecessary (to say nothing of unnatural) responsibilities from which they are happy that their religion provides a protection.

The attitude on the part of most women continues to be a Spirit of co-operation rather than competition with the men of their families and community. Middle Eastern women have no desire to usurp the position of males in the society, and attitudes that reflect a "female against male"approach are foreign to a culture in which such a high priority is put on the complementary nature of the roles of women and men.

Equality will carry an Islamic, not a Western, definition, and in the Muslim mind the role of women must evolve in a pattern consistent with Allah's ordered plan for humankind.

PROPHETIC SAYINGS

1) "Best is the wife that when you look at her she pleases you and when you ask her to do something she obeys you and when you are away from her, she protects you by protecting her virtue and your property."

2) "If I were to ask anyone to prostrate before anyone (other than Allah) I would have ordered the wife to prostrate before her husband."

3) "Should a man invite his wife to bed and she does not respond, then the angels curse her until the daybreak."

4) The Rasul of Allah (ﷺ) said: "No nation can be Successful which gives it matters to be ruled by woman."

This is not a weak or fabricated argument, but authentic and reliable. Imam Hakim and Imam Shayi in Taklkis Musdarkh has stated it issound.

Strangely enough Maududi quote this Hadith in his book, "Islamic Law and Constitution" but support a woman candidate Fatima Jinnah in the Pakistan 1965 Elections.

From the above we can conclude that a woman's role is to protect her chastity, honour, and dignity in her husband's absence. She must also safeguard his property and respond positively when he calls her to bed. Moreover that no nation will be successful if it has a woman at the head of it's affairs.

5.6.3. Can a Woman Rule?

The role of women in Islamic government has often and long been a controversial issue.

Nizam al-Mulk offered this cavat to male rulers:

"Their [women's] commands are mostly the opposite of what is right. And in all ages when the king's wife has dominated the king, nothing but infamy, evil, calamity and corruption has resulted.

The hadith in question sought to illustrate a terse saying attributed to the Prophet Muhammad himself: "Consult them and oppose them."

Nowhere in the Quran has risalaat, nabuwaat, khilafat or leadership ever been assigned to a woman.

5.6.3.1. Women as Private Beings, Not Public Figures

In all the verses, below women have been ordered and Encouraged to;

1. Cover themselves;
2. Remain within their homes;
3. Communicate from behind the curtain;
4. Refrain from speaking in amorous tones which may lead men astray;
5. Walk without attracting anyone.

The role of women as the obedient wife can be discerned in the verses and ahadith quoted below;-

"And REMAIN WITHIN (the walls of) YOUR HOMES and DO NOT DISPLAY YOUR FINERY like the displaying of the (the days of) ignorance of old and establish Salaat and pay Zakaat and obey Allah and His Rasul. Allah wants to take away uncleanness (or lewdness) from you, O inmates of the house and to purify you (through) purifying."

"And when you ask of them (Nabi's wives) anything, THEN ASK OF THEM FROM BEHIND A CURTAIN-this is purer for your hearts and (for) their hearts."

"O nabi, say to your wives and to your daughters and to the WOMEN OF THE BELIEVERS that (while going out of their homes for urgent needs) they should DRAW THEIR CLOAKS AROUND THEMSELVES, that is more proper, so that they will be known (as chaste and respectable women); so they will not be hurt (or insulted); and (know that) Allah is Forgiving, Merciful."

"O wives of the Nabi (give up the fashions of the Pre-Islamic Days as) you are not like any other women (who do not keep the limits of womanhood); if you want to be on your guard (and fear Allah alone), THEN BE NOT SOFT IN SPEECH (while talking to an outsider), lest he, in whose heart is a disease (on lewdness), desires (your company), and (always speak a just word)."

"And tell the believing women to lower their eyes and to guard their private parts and not to expose their (places of) ornaments (as the head, ears, hands, necks, waist and legs) except what remains exposed thereof (as the palms, toes and face) and let them hang their coverings over their bosoms, and not expose their ornaments except before their husbands;.. and towards Allah together O Believers, so that YOU MAY SUCCEED." "...and they should not stamp the ground in walking, so as to reveal their hidden decoration ornaments by their jingle." "Virtuous women are obedient, and guard their (husbands) rights carefully in their absence under the care and watch of Allah." Women are to subject themselves to their husbands and while the latter are engaged in field work - away from their homes - the women are to protect their honour, dignity and chastity which is the right of their husbands.

The happiest moment for a woman is the hour of her surrender in obedience to her husband. Her greatest desire is to have a husband whose power she can feel.... Being subservient is painful to a living being generally; however, for the woman, subservience to her husband fulfils the purpose of her femininity. She is grateful in her pain and victorious in her obedience.

The best wife is she who is lively but obedient, affectionate and who bears children, who shows deference, obedient to the reins, faithful when he is absent, modest when in company, reverent in her appearance, self-effacing when

standing, sincere in her service to her husband, increasing his little into abundance, and removing his sorrow with her good conduct and gentle conversation. Thus it is recorded in the ahadith:

Jabir (رضي الله عنه) said that the Rasul of Allah (ﷺ) said,"Beware! A man must not pass (alone) a night near a married woman whohas full growth except his being her husband or being one (ofthe) Maharrams "father, son, brother etc.-with whom marriage would be illegal. "Women are not permitted to move around freely or stay alone; these are circumstances which rulers are more likely to be exposed to. Oqbah bin Amar (رضي الله عنه) said that the Rasul of Allah (ﷺ) said: "Be careful about coming near women." Then a man asked: "O Rasul of Allah (ﷺ), do you (also consider) the same about the husband's relatives (his brothers, cousins etc?)" He said. "A husband's relatives are (like) DEATH."

"The ruling idea with regard to men" and women, says Saneya Saleh, "is that the husband and wife should supplement each other, for each has particular features and characteristics. As a result, their functions are quite distinct, and each is entrusted with the functions which are best suited for his and her nature."

"It is reported by al-Bukhari that Sad-ibn-Ubada, a companion of the Rasul was reported to have said; "If I saw a man with my wife, I would strike him with the sharp edge of the sword." Then, the Rasul said (to his companions) "Are you astonished at Sa'd's jealousy? Indeed I'm more jealous than he and Allah is more jealous than I."

He also reports that the prophet said, "The best of the women is the childbearer, the compassionate one who keeps a secret, the chaste, the one dignified in her work. the one submissive to her husband, the one who adorns herself in the presence of her husband, the one inaccessible to anyone but her husband, who listens to his words, obeys his

commands and when they are alone offers him whatever he desires of her and does not display the vulgarity of men."That a woman must protect her honour, dignity and chastity in the absence of her husband is further expounded in the ahadith;-

The Rasul of Allah (ﷺ) said: "From this day no man is to call on a woman in the absence of her husband, unless he is accompanied by one or two other men."This would prevent the woman ruler having urgent and private meetings at odd hours.

Jabir (رضي الله عنه) narrated from the Rasul of Allah (ﷺ), "Do not visit women whose husbands are absent (from them); because the devil runs through you like the circulation of blood."

A ruler must be able to meet his subjects at any place and on many occasions in privacy to listen to plans, suggestions and complaints. Women would not be able to satisfy and do justice as a ruler in the light of this hadith, due to the restrictions placed upon her.

Rasul of Allah (ﷺ) said: "A woman is an object to be kept in secret (seclusion). (Because) when she goes out Satan follows her and when she remains inside her home, she remains closer to the mercy of Allah."

A woman is not to be displayed on public platforms outside her role as this brings forth the displeasure of Allah. The devil constantly misleads, waylaying and misguiding her, and this will then be detrimental to the nation's progress.

Hafiz Imaduddin, author of Tafseer-ibn-Katheer, quotes ibn Abaas that the wife should be obedient to the husband, appreciate what he does for her and she must protect his property.

Ibn Masud (رضي الله عنه) reported that the Rasul of Allah (ﷺ) said: "It is better for a woman to offer her prayers in her closet than in the main room of the house, and it is

better to offer her prayers in hiding-place than in her closet"

5.6.4. Men and Their Role as Public Figures

Commenting on the verse 4:34, Alausi Baghadhi states:

"It is befitting the position of the man to rule over the woman as the King over the subjects with commandments to do and not to do and things of that nature. and it is recorded that the women are imperfect in intellect and deen while the man is the opposite as it is not hidden, having the specialty of risalaat and nabuwat and imamaat kubra and sugra and to uphold the symbols of iqamat, khutaba, jumuah, takbeer, tasreeq according to Abu Hanifa...."

Expounding on the verse 4:34 the author of Zaadul Mazeer fillmul Tafseer records: - p.1218

"Man made rulers over women to teach them etiquette, to order them to do good and forbid them from evil,like a King is over his subjects and superior due to two qualities--WAHBI AND KAASABI--(given by Allah and attained)--superiority because of more intellect, courage, valour, strength, insight, opinion and from men were the ambiyaa, imaamat kubra, imamaat sugra,jihaad, azaan, khutaba...they are the people of the beard and turban and the perfect itself is to rule over the imperfect." On p.1219, which describes the hadith quoted:

"Best is the one that when you look at her she pleases you and when you ask her to do something she obeys and when you are away from her, she protects you by protecting her virtue and your property."And relates that the Rasul of Allah (ﷺ), quoting the above, went on to quote the verse "Men are rulers over women..."

While it is stated in Tafseer ul Qaasmi, p.1219 superiority of man is due to; more intellect: receiving more in inheritance and booty, to attend jumuah, and jamaat, to hold the post khilafat and imamaat, engage in jihaad, and

the man has right of divorce.p1220 Suyuti says that the husband controls his wife by attending to her upbringing, by teaching her etiquette and by preventing her from going outside (her house) and upon her is obedience to him, except in sin. (Tafseer ul Qaasmi-or Muhseenul Taweel; by Muhammad) Moreover in Jalalain, Suyuti renders the following commentary for verse 4:34. pp 75-7:

"One who controls women and teaches her etiquette and maintains her because of the superiority of knowledge and intellect and guardianship" Referring to note 24, "controls the affairs of the women like a King controls the affairs of the subjects."; and note no. 26,"he is to provide for her so that she does not have to leave her home"; this is also an indication that she should generally not leave her home.note no. 27, is similar to that of Ruhu ul Maani.

The above clearly state that the man is to teach her etiquette and prevent her from going out of the home. Also that she must obey him, except in sin. Concerning the latter, the hadith is clear;

"Rasulullah (ﷺ) does not permit obedience to a creature by disobeying the Creator."About the former, the hadith are replete on the issue that the woman should stay at home as stated below: Aisha (رَضِيَ اللهُ تَعَالَى عَنْهَا) said: "After the order about purdah (veil) was revealed, one night Saodah (رَضِيَ اللهُ تَعَالَى عَنْهَا) (her co-wife) went out of the house for some urgent need, and after returning, she said to Rasul of Allah (ﷺ), O Rasul of Allah (ﷺ) I went out for some urgent need when Umar recognized me and said, O you cannot escape my notice" At this, revelation came to the Rasul of Allah (ﷺ) and he said "Allah has allowed you to go out with due covering for some urgent need."

5.6.5. Can Women Fulfil the Role of Leadership?

A ruler will go out especially for being specifically

recognized by the subjects. The understanding of Umar (رضي الله تعالى عنه) that women on leaving their homes must not even be recognized was confirmed and sanctioned by Divine Decree that is by revelation. Abu Huraira (رضي الله تعالى عنه) narrated that the Rasul of Allah (ﷺ) said: "It is not lawful for any woman that she travels for a night, (except) accompanied by a male mahram."

Thus a woman must travel, at all times under the care and protection of one whom she cannot marry. This could lead to untold difficulties for female rulers. When a woman's stirring out of the house is not recommended for an obligatory duty, it is evident that her leaving the house for the role of leadership, which for her is far from obligatory, will surely not be recommended.

If a woman, due to necessity, leaves the house, the following advice has been given to her; The Rasul of Allah (ﷺ) says: "But the women should go out in untidy clothes" In the case of a woman leaving her home due to dire need, she should do so in untidy clothing. Female rulers these days are among the world's "best dressed". Ayesha (رضي الله تعالى عنها) says: "On the occasion of Hajat-ul-Wida (Farewell pilgrimage) if menfolk came before us, we covered our faces with our cloak and removed it when they went away". During the time of performing an obligatory act, women covered their faces. Osayed (رضي الله تعالى عنه) reports that:"Once while walking, when men and women intermingled on the way, the Rasul of Allah (ﷺ), asked women to be in the rear and walk on the side of the path. Thereafter the women used to follow this prophetic order so strictly that their clothes used to brush against walls when they walked"

Rulers walk with rulers, and not in the rear brushing the Walls. The Rasul of Allah (ﷺ) said: "The women who use perfume and pass through the people are promiscuous."

When, once a boy was martyred in a battle, his mother came wrapped in a cloak to inquire about him. Those who were present were surprised and asked her why she did not give up the veil in such distress. The lady related, "I have lost my son, not my sense of honour."

A ruler experiences various moods and emotions daily. In this age where affairs of state change hourly which woman ruler would be able to maintain this level of purdah?

Attempts by the feminist movement to focus on eradication of the institution of purdah in order to "improve" the status of women would meet with little sympathy or support.

Added to this, advice has been rendered to the men who come across the women who emerge from their homes out of necessity; -

Jabir bin Abdullah (رضي الله عنه) said: "I asked the Rasul of Allah (ﷺ) about a sudden glance (at a strange woman). Then he ordered me to turn away my glance (at once form such women)."

People are likely to follow a woman ruler who is approachable and available for their complaints.Since a woman is not allowed to be approached openly by one and all, this definitely would put a strain on a woman in the role of leadership, or lead to mischief via leadership. Boraidah (رضي الله عنه) narrated that the Rasul of Allah (ﷺ) said to Ali (رضي الله عنه), "Do not allow your glance (at any strange woman) to follow (another) glance: because the first glance (sudden glance) is (harmless) for you, whereas the second (glance is not good) for you.

6. Islam and the Improvements of the Women's Position

The question arises what did Islam do for women? What was her status and condition before the advent of the Rasul of Allah (ﷺ)?

6.1. The Days of Ignorance

In pre-Islamic society the position of women was considerably lower. The tribes were patriarchal in structure and generally assigned to women a much lower social status.Widows were inherited. The Quran refers to this practice and prohibits it.

"And marry not those women whom your fathers married, except what hath already happened (of that nature) in the past. Lo! it was ever lewdness and abomination, and an evil way."

There were many abominable customs regarding women in the period of ignorance. Despite a measure of freedom, the overall status of women was inferior in pre-Islamic society. If Islamic laws, the source of which is mainly divine revelations and their exemplification through prophetic practices (sunna), are seen in the context of jahiliyya practices, they would be appear to be no less than revolutionary. The Quran greatly improved the social status of women and laid down definite norms, as against mere customs. They could no longer be treated as mere chattels to be traded or objects of sexual lust.Married women thus were described by the Quaran as Muhsanat, meaning chaste and secured.

The Quaran not only did away with all arbitrarypractices but set out definite norms and gave women a definite status, although this was not strictly equal to that of men. Seen in the then prevailing social context, it was an unmistakably revolutionary step. The Quaran declares in unambiguous terms: "And they (women) have rights similar to those (of men) over them in kindness, and men are a degree above them. Allah is Mighty, Wise".

6.1.1. Birth of Daughters

Some killed their children, mainly daughters, because of the fear of poverty as stated in the Quran: "And kill not your children for the fear of poverty. We provide them livelihood and you also. Surely killing them is a heinous

sin." "And when the girl buried alive shall be asked; for what sin she was slain." "And slay not your offspring for fear of want. We provide for them and for yourselves. Verily their slaying is a great crime." Moreover they would become depressed when a girl was born. This was rejected by the Quran in these words "They attribute to Allah, Glory be to Him. And for themselves they desire them not. When a female child is announced to them, his face grows dark and he is filled with inward gloom because of the bad news, he hides himself from men: should he keep her with disgrace or bury her under the dust? How ill they judge!" 6.1.2. The Marrying of Widows When a person died and left a widow or widows, the nearest male relation had merely to cover her or them with his mantle and they become his wives.

6.1.3. Marriage Arrangements

Ayesha's (رضي الله تعالى عنها) narration in Bukhari states that there were four types of marriages during the pre Islamic period of ignorance. One type was similar to that of the present days, ie., a man used to ask somebody else for the hand of a girl under his guardianship or for his daughter's hand, gave her mehr (dowry) and then married her. The second type was that a man would say to his wife after she had finished her period, "Send for so and so and have sexual relations with him." Her husband would then keep away from her and would not sleep with her till she got pregnant from the other man with whom she was sleeping. When her pregnancy became evident, her husband would sleep with her if he wished. This was done so that her husband might have a child of noble breed. Such a marriage was called "al-istiba". Another type of marriage was when a group of less than ten men would assemble and approached a woman, and all of them would have sexual relations with her. When she became pregnant and delivered a child, she would send for all of them some days after her delivery and none of them would refuse to come; and when they all

gathered before her,she would say to them; "You all know what you have done, and now I have given birth to a child. So it is your child,"She would name whomever she liked, and her child would follow him and he could not refuse to take him. The fourth type of marriage was that many men would enter a have sexual relations with a woman, and she would never refuse anyone who came to her. These were the prostitutes who used to fix flags at their doors as a sign, and he who wished could have sexual intercourse with them. If anyone of them fell pregnant and delivered a child, then all those men would be gathered before her and they would call the "qaifs" (persons skilled in recognizing the likeness of a child to his father) to try and identify the father of the child. The man could not refuse all that. But Muhammad (ﷺ) was sent with the truth, he abolished all the types of marriages observed except the type of marriage that people recognize today. These descriptions of the pre-Islamic period show that:

(a) Women were treated like animals or commercial merchandise;

(b) Four types of marriage were prevalent in the Days of ignorance;

(c) Women were public property to be used without honour or dignity;

(d) Morally speaking, women had no significance and no respect was shown to them. There was in fact no notion of conjugal fidelity among most of the Arab tribes. In old Arabia, the husband was so indifferent to his own or his wife's fidelity, that he would send her to cohabit with another man in order to get himself a noble son. There was no stain of illegitimacy attached even to the child of a prostitute. The custom of polyandry ie. a custom of marriage under which a woman takes more than one husband was very common in Arabia.Even a son could take his step-mother as his wife.This most heinous custom was

abolished by the Quran. "... and marry not those women whom your fathers have married, but what is past (is past); surely (such marrying) is an indecency and a heinous affair; and an evil way."

6.1.4. Polygamy and Divorce

There were no laws regulating marriage and divorce. A man married as many women as he liked and divorced as he wished. A man just had to say to his wife; "Thou art to me as the back of my mother." and she was divorced and could not marry another man. A widow did strange things to announce freedom from mourning.
In Bukhari a saying is recorded thus:"... in the pre-Islamic period of Ignorance a widow among you should throw a globe of dung when one year passed (elapsed). I said to Zainab, "What does throwing a globe of dung when one year had passed mean? Zainab said, "When a woman was bereaved of her husband, she would live in a wretched small room and put on the worst
Clothes she had and not touch any scent till one year had passed. Then she would bring an animal eg. a donkey, a sheep or a bird and rub her body against it. The animal against which she would rub her body scarcely survived. Only then (after above procedure) would she leave the room. Whereupon she would be given a globe of dung which she would throw away and then she would use the scent she liked? The above was the treatment of women in general in pre-Islamic times. Thus the condition of women can be judged from what has been recorded. 6.2. The Islamic ApproachIslam, the religion of Allah, has liberated women andrestored them to their role, to which they were divinely Ordained.Islam did not only free women from slavery butalso elevated their status to that of human beings and gave them the right to have their own names, and the right to have possessions.

"Our Rabb! forgive me and my parents (both father and Mother) and the believers on the Day of Reckoning." One prays for loved ones. Man ought to love parents in this world and in the hereafter.

"My Rabb! Arouse me to be thankful for your favour wherewith you have favoured me and my parents (both)." Women also receive divine favours and boons from the Creator Who must be praised for it. My Rabb! Forgive me and my parents (both)." Women are to be treated with respect and held in high esteem.Women are to be shown mercy, prayed for and honoured.

"Your Rabb has decreed that you worship none save Him, and (that you show) kindness to parents (both). If one of them or both of them attain old age with you, say not "uff" to them nor repulse them, but speak to them graciously and lower unto them the wing of submission through mercy, and say; My Rabb!have mercy on them both as they did care for me when I was little." "And dutiful towards his parents (both), and he was not arrogant, rebellious" Narrated Abu Huraira (رضي الله عنه); a man came to Rasul of Allah (ﷺ) and said;"O Rasul of Allah! Who is more entitled to be treated with the best companionship by me? The Rasul of Allah (ﷺ) said. "Your mother." The man said: Who is next?" The Rasul of Allah said: "Your mother" The man for the fourth time said, "Who is next? The Rasul of Allah said: "Your father." Narrated by Abdullah-bin Amr (رضي الله عنه); A man said to the Rasul of Allah (ﷺ), "Shall I participate in Jihaad?" The Rasul of Allah (ﷺ) said, "Are your parents living?" The man said, "Yes". The Rasul of Allah (ﷺ) said, "Do jihaad for their benefit."

Narrated by al-Mughira (رحمه الله تعالى); The Rasul of Allah (ﷺ) said; Allah has forbidden you; (1) to be undutiful to your mothers;

(2) To withhold (what you should give) or (3) to demand what you do not deserve and (4) to bury your daughters alive. Asma (رَضِيَ اللهُ تَعَالَى عَنْهَا) said, "My mother who was a pagan came with her father during the period of the peace pact between the Muslims and the Quraish. I went to seek the advice of the Rasul of Allah (ﷺ) saying, "My mother has arrived and she is hoping (for my favour). The Rasul of Allah (ﷺ) said "Yes, be good to your mother." arrated Abu huraira (رَضِيَ اللهُ تَعَالَى عَنْهُ) The Rasul of Allah (ﷺ) said; "The one who looks after and works for a widow and for a person is like one striving in the Path of Allah."
(See Appendix 4 - for more references)

From this perspective, Islam provides for women a position of honour and respect, with clearly stated rights and obligations. The Quran affords legal protection in the Marriage, divorce, and inheritance, all of which show a vast improvement over the situation of women in pre-Islamic society.

7. Ayesha (رَحِمَهَا اللهُ تَعَالَى) and the battle of the camel (jamal)

Any thesis or discussion on the Role of women in leadership would be incomplete without mentioning the story of Ayesha's (رَضِيَ اللهُ تَعَالَى عَنْهَا) articipation in the battle of the Camel.This whole episode has been repeatedly misquoted as "proof" for leadership rather that against.Indeed, the opposite is true. It is necessary to explain this event in proper context.

The murder of Caliph Uthman (رَضِيَ اللهُ تَعَالَى عَنْهُ) left Madinah in a chaotic state; whilst a citizen of Madinah carefully wrapped the severed fingers of Naila (wife of the late Caliph) in the blood stained shirt of Uthman (رَضِيَ اللهُ تَعَالَى عَنْهُ), and carried them off to Damascus and laid them at Muawiya's feet. (William Muir, Annals of the Early Caliph--London--1883).

The first major problem for Ali (رَضِيَ اللهُ تَعَالَى عَنْهُ), the new fourth Caliph was to meet the demand of the people to punish the

murderers of Uthman (رضي الله عنه), but he thought under the conditions prevalent it would be difficult to seize the real culprits.

Ayesha (رضي الله عنها), wife of the Prophet (ﷺ), learnt about Uthman's murder when she was at Sarif, a little distance away from Makkah, on the way to Madinah. On receiving this information she asked her attendants to take her back to Makkah.Here she declared her intention of seeking retribution and punishment of the assassins of Uthman (رضي الله عنه). She stood in the Hijri (near the northern walls of the Kaaba) and addressed the people from behind the screen, saying "that the murderers of Uthman had shed sacred blood in the sacred place and in the sacred month, and looted the property which was unlawful for them. By Allah even if the number of murderers be so large as would not be contained by the entire world, one finger of Uthman would be better than a whole world full of the likes of them" About 3000 men assembled around in response and although she wanted to return to Madinah, on the advice of her supporters she took the route to Basrah.

Ayesha (رضي الله عنها) lent her support for punishment of Uthman's murderers because she considered it to be a just cause, otherwise the Islamic system of justice would be irretrievably jeopardized. Her sincerity of purpose is further proven by the incident at Hawab. As the army proceeded it arrived at a little Bedouin village where dogs began barking loudly. On inquiring about the noise, Ayesha was informed that this village was at a spring of Hawab (not far from Basrah). She screamed and immediately ordered the camel to be halted. Then she alighted and told the people to take her back. "Alas, Alas!" she exclaimed and said; "I have heard Muhammad (ﷺ) say one day, O if I knew which amongst you it is at whom the dogs of Hawab would bark! I declare that I will not take another on this ill-omened expedition." Her followers tried to convince her that the

guide had by mistake given the wrong name, but she would not move and the army had to halt there for a day. "In despair, they used a stratagem. The following night they raised the cry that Ali was upon them. This terrified her. She hastened to her camel and the march was resumed.

To narrate in brief, after the peace discussions, led by Al Qaqa from Ali's side, had received a favourable response from Ayesha's side, unfortunately due to mischief-makers the Battle of The Camel took place.

AFTER THE BATTLE

Ali (رضي الله تعالى عنه) came to see her and said; "How are you, O my mother?" She replied "Quite well." "May Allah forgive you." said Ali (رضي الله تعالى عنه). She repeated the same words to him. In the night she was removed to the town of Basrah.

After a few days Ali (رضي الله تعالى عنه) asked Muhammad b. Abi Bakr to make arrangements for Ayesha's return to Madinah and allowed all those who wanted to accompany her to do so also. From Basrah forty women were selected to constitute her entourage. Ali (رضي الله تعالى عنه) personally went to bid her farewell, she came out and addressed the people assembled there; "O my sons, we should not be angry with one another, the conflict between Ali and I was of the nature of OCCASIONAL DIFFERENCES BETWEEN A SON-IN-LAW AND HIS MOTHER-IN-LAW. Undoubtedly, Ali (رضي الله تعالى عنه) is a virtuous man". On hearing these words Ali (رضي الله تعالى عنه) said; "What the Mother of the Believers has said is absolutely correct. By Allah, our quarrel had been of the NATURE (REFERRED TO BY HER), By Allah she is the wife of our Rasul in this world as well as in the next."

7.1. Comments on the Incident Both Ali (رضي الله تعالى عنه) and Ayesha (رضي الله تعالى عنها) regretted what transpired. After the battle when al-Qaqa presented himself before Ayesha (RA), she expressed her regret thus; "Oh Alas! I wish I had DIED

twenty YEARS EARLIER"; when he returned to Ali (RA) and mentioned her words to him, HE ALSO REPEATED THEM." Ayesha (رضي الله تعالى عنها) used to WEEP on recalling the incident of the Battle. "She realized afterwards that to leave coming out was better, thus when she remembered her coming out, she WEPT so much that her head-cover would become wet" She used to say "I hope (wish) that perhaps I was a green branch and could not have journeyed." From the above it is understood that Ayesha (رضي الله تعالى عنها) did not go to engage in a battle, nor to claim Khilafat, or Amirship or leadership, but to find a peaceful solution. Moreover she totally regretted her involvement and her coming out of her house to be faced with the consequences of the battle. Ali (رضي الله تعالى عنه) also knew it was not for anything else besides bringing to account the murderers of Uthman (رضي الله تعالى عنه) and Ayesha (رضي الله تعالى عنها) even classified this as a difference between son-in-law and mother-in-law.

The incident described can not be used to prove the right of women to take up leadership in Islam; on the contrary the event shows that woman should refrain from such delicate responsibilities. Furthermore when we consider what Ayesha (رضي الله تعالى عنها) says about women leaving their homes to attend obligatory congregational prayers, then we can judge further whether it is obligatory upon every individual male or female to become leaders.

Another point worth mentioning is that Ayesha (رضي الله تعالى عنها) has not quoted any saying of Muhammad (ﷺ) which encouraged a Fem le to leave her home. Hence none of her sayings or advices she gave to the thousands who sought it, contains encouragement towards female leadership. One isolated episode with the initial hesitation and later regret could not and cannot be used as proof for female leadership.In fact, it is quite clear from the sayings above, that it is a clear proof to the contrary i.e. against female leadership.

(Aishah the Beloved of Muhammed; Nabia Abbot; London; 1985 Ummal Muminin Aishah Siddiqah: Mumtaz Moin; 1982; Delhi Life and Works.)

8. Conclusion

In the light of Shariat the duties and right of Nabuwat, Azaan, Iqamat, Jumuah Khutba, Eid Khutba, Imamaat, Deputy Imam, Marriage Agent, War Amir, Deputy Ruler, Haj Amir, as Delegate, as Khalifa, Jihaad, Jamaat salaat and divorceare the sole right of theman and not of the women. Moreover: -

1. Male Imam: The men's salaat is invalid if he follows a woman.
2. Equality: It appears in Fatawa Qazi Khan that when the wife performs salaat with her husband at home, it is not permissible for her feet to be placed parallel with those of the husband.In Muheet it is stated that the salaat is invalid. "Put them in the back just as Allah has put them in the back", -Ibn Masood.
3. Deputy: If a Woman were to deputise as Imam the salaat of all the Muqtadees would be invalid.
4. End of Pack: The responsibility to announce that idol worshippers would not be allowed to perform Haj was given to the man and not woman.
5. Pact: Any pact or negotiation between the Muslims and others was done by the male delegates and not females.
6. Men are rulers: It is the responsibility of the men to caution, teach, aid, protect, guide, culture, admonish the women. It is his responsibility to provide a dwelling for her to stay in and arrange for food and maintenance so that she does not have to leave her home. (Akhame Quran: Vol.2, p.229); under the verse "Men are rulers over women..." we learn that;

(a) Men have a superior status than women,
(b) Men must teach culture and etiquette to women,

(c) Men have the duty according to Shariat to keep the women at home and not allow her to go outside,
(d) It is necessary for a woman to be obedient and to listen to the man's orders as long as he does not instruct her to commit sin,
(e) It is essential (wajib) in the light of the Shariat for the man to maintain and provide for the woman.

7. Imitation: That which is specific to men remains so and imitation of these things invokes the curse of Allah. Allah curses those men who imitate women and curses those women who imitate men.

8. Warning against electing women as leaders: Abu Huraira (رَضِيَ اللَّهُ عَنْهُ) narrates that the Rasul of Allah (ﷺ) said that when your rulers are good people and when your wealthy are generous and when you resolve your matters by mutual consultations then to be on the surface of the earth is better than to be inside (dead),when your rulers are evil people and the wealthy are misers and when your matters are with your women,then the inside of the earth is better than the surface (better to be dead than alive).

9.Admonish:The man has the right to admonish the woman by light beating when necessary and some juriconsults learned in Islamic Law say he can do so if she; swears the man,tears his clothing,grips his beard,calls him a fool or donkey,curses him with or without swearing in colloquial words,swears at a stranger,opens her face in front of a ghair maharam (one whom she can marry),speaks to a stranger or speaks hastily with her husband or due to quarrelling raises her voice so much that strangers can hear.

10. In an Islamic state it is the Haqq (right-duty) of theruler to lead the funeral prayer (salaat-e-janaza) of thesubject.The female is not allowed to lead this prayer.
11.In order to fulfil an important obligation such as Haj,the female can not go alone and require a maharam (one whom

she cannot marry) to accompany her.If a maharam is not available she is not allowed to go.As leader movements will be restricted.

12. The rule of non-muslim rulers is no proof that Muslim women can become rulers, as was the case of the Queen of Sheeba.

13. Moreover the rule of a Muslim woman in a Muslim State does not alter the law but displays disobedience to the divine law.

14. Women cannot become witnesses in cases where Islamic Law of punishment is to be meted out.

15. In affairs of dealing and transacting females cannot become alone without the presence of males.

16. In the absence of one male witness, two females are needed, one will not suffice.

17. A women is not able to read Salaat or Quran whenever she experiences her monthly periods or post-nuptial blood discharge.

18. A female cannot become a judge in cases which pertain to Islamic Law of punishment.

19. A women cannot attend funeral processions.

20. During her monthly periods and pregnancy days sheundergoes such emotional set-backs which influences practically all her decisions.

21. A women cannot enter masjids when she is not pure, free from haiz and nifaaz, etc.

22. A women cannot visit the graveyard.

In Islam everyone, men and women, have a role to play in life, with particular responsibilities accompanying each one.There is no total freedom and no total equality. However, these realities do not prevent persons of talent

granting benefit to the society as a whole. The Prophet said, "The woman is created from a crooked bone.She will not be straightened for you. If you enjoy her you enjoy her curvature (crookedness). If you attempt to straighten her, you will break her and what breaks her is divorce." (Yalgin, al-Bayt, p.84).

Allah says; "it is NOT for the true believers--men and women to take their choice in their affairs if Allah and the Rasul decree otherwise. He that disobeys Allah and His Rasul stray far indeed". (33:36)



APPENDIX 1

This list includes those books and journals that do not discuss female leadership although they deliberate on the general role of women in Islam.

1) Hamdard Islamicus: Vol.viii, No.1. "The development of women's movements in the Muslim world." By Somar F. Masaud. p.81-6. Basically a historical overview of Egypt, Turkey, Iran.

2) The Journal of Jewish Studies: Vol.v.No.1, 1954 p.1-11 "The veil in Judaism and Islam." E.Mary Smallwood. Showin comparative similarities of this law which existed long before the days of ignorance also. Interesting hadith quoted on p.2-3. "Ibn Abbas (رضي الله عنهما) attributes the following statement in the Prophet during the later part of the Medina period "God has commanded the wives of the believers that when they leave their homes on any errand they should cover their faces from above their heads and cloaks so that they allow one eye to appear".

3) Comparative Studies in Society and History: Vol.15, 1973. "Purdah: Separate worlds and symbolic shelter," Hanna Papanek (University of Chicago), p.289-325. - Discussion on implementation of Purda, especially on Indo-Pakistan Sub continent.

4) International review of Mission: Vol.73.No.289 Jan 1984. P358-360 from Asian Issues Vol.2, No.2, July 1983. "Women in Pakistan! Two to one." Describing the new laws restricting women's movements, eg.

a) Disbanding a women's hockey team,

b) Women models banned on T.V.

c) Working women to be retired, and the reaction this caused demonstrations by women journalist Hilda Saeed of the"The Star".

5) Religion and Society: June 1985: Vol.32.No.2. a)"Women under the authority of Islam" Asghar Ali Engineer - p.20. Veiling of face, polygamy, divorce laws pros and cons of it in respect to India. Quotes various commentators.

b)"Impact of Islam on the status of women from the Socio-Cultural Point of View" Muzammil Siddique - p.39 Legal rights mentioned, Muslim World, Vol.64,1984.

6) A study of twentieth century commentary of Sura-al-Nur, p.187. Mark.N.Swanson Critical discussion on views expressed by Sayyib Qutb, Isa. Qasmis, Khatibs, Mawdudi, Darwaza's

7) Muslim World, Vol. lxxiv, July/Oct 1984 No3-4 p.137-160. "Islam, women and revolution in Twentieth Century Arab Thought", "Yvonne Y.Haddard. Discussion with contemporary scholars on women's role and rights - their views and counter- views.

8) Dissertation Abstracts International: Vol.42A, 1981-1982, p.2285. "The political Role and status of women in the Muslim World", Carol Jean- Thesis written about these 5 themes:

1) Education
2) Employment
3) Political Participation
4) Physical Health
5) Fertility

9) Dissertation Abstracts International: Vol.43/07A, p.2448. "Walking women in Saudi Arabia", Hallawani Ebtesam Abdul Rahman. In 7 chapters: basically a summary on a reply to an educational questionnaire; problems and solutions, etc.

10) The Middle East Journal: Vol.43, No.1, winter 1989. "The political status of women in the Arab Gulf States

J.E.Peterson. p.42-50. Sharing political progress of women in Kuwait especially as compared to other states but no legal discussion from Quran, or hadith.

11) International Journal of Middle East Studies: Vol.22. May 1990, No.2. P185-200. "Infanticide in Medieval Muslim Society"

12) Islamic State: a case study of Pakistan Muhammed Imran. M.Sujuddin & Sons, Lahore 1st.ed, 1977.

13) On the Political System of the Islamic State. Muhammed S El Awa - American Trust. Publications Indianapolis - Indiana - 1980, 2nd Ed.

14) Islamic Social Framework: Prof M.Raihan Sharif. 3rd Ed Sh.Muhammed Ashraf: Lahore: 1976 No mentions of women's leadership under section "The Basis of the Islamic State.", p.99.

15) Public Duties in Islam: The institution of the Hisba. Ibn Taymiya: The Islamic Foundation; Leisecter; 1983. No information on leadership under sections about society and leadership. P.115.

16) Islamic Ideology: Institute of Islamic Culture. Dr Khalifa Abdul Hakim, Lahore, 3rd ed.1974. No information under sections about basic concepts of the Islamic State. P189-244.

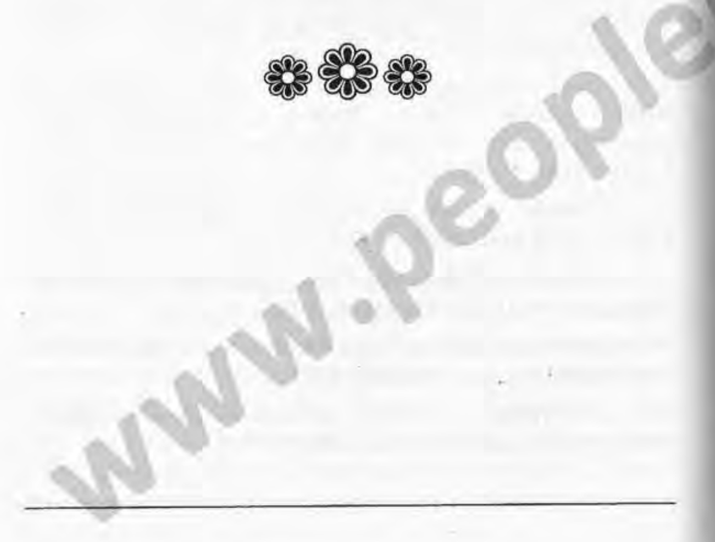
17) Political concepts in the Quran. Qararuddin Khan; Islamic Book Foundation; 1982.

18) The political thought of Ibn Tayimiyah. Qararuddin Khan; Islamic Book foundation; 1983.

19) Administrative Ethics in a Muslim State. Shaukat Ali; Publishers United ltd; Lahore; 1975.

20) Ideal Women in Islam: Muhammed Imran. Islamic Publications; Lahore 1st; ed, June 1979.

21) The Muqaddimah: An Introduction to History. Ibn Khaldun 1967 Bollingen Foundation. New York: N.Y. Translated from Arabic by Franz Rosenthal: Abridged and edited N.J.Dawood. Under "The meaning of caliphate and imamate", P.154- no information on women leadership, although after discussions rendered.



APPENDIX 2

This includes a list of books and journals referred to that Mention Women and that cannot become an Amir/Leader, but do not bring proofs.

1) Constitution of the Arab Empire: Dr.S.A.Q. Husaini .Ashraf: Lahore: 2nd. Impression: 1958.-P73 "The Khalifah: His Qualifications: The Khalifah must be a member of the tribe of theQuraysh: e must be of male ex..... (On footnote) - Arnold: The Caliphate PP 71/72: al Muwardi chapter 1. The orient under the Caliphs p.223. hyaul ulum p.147.

2) The Caliphate: Sir Thomas W. Arnold. Am Publishers Distribution: Delhi Reprint 1988. 71... "he must be of male sex"...

3) Individual and the State: Dr. Abdul Karim Zuidan: Printed in Malaysia by Polygraphic Press. 1st. Ed. 982. Under section "The Election of Head of State" p.18 The Head of the State is a man chosen by the community with mutual consent". The Muslim world: Vol. 72, 1982

4) "Islamization: Religion and Politics in Pakistan" John L. Esposito -stating of history in Pakistan from Bhutto in 1977 to General Zaid-ul-Haaq. Section under women mentions fatawa (religious verdict) by Ml. Noorani declaring women should not hold political office, (p.217) -no legal discussion entered into.

5) The Middle East Journal: Vol.4.Autumn 1986. "Islamic appeal in Tunisa"-Susan Waltz p.651-670 -"The national union of Tunisian women has been accorded sizable resources by the goverment and 400 women were recently elected from a single list ballot to offices of municipal government, a policy more consistent with Islamic tenets would restrict rather than open up opportunities for direct participation by women." - No further info:

6) International Journal of Middle East Studies. Vol.22, No.2, May 1990. "Another view of genuine networks: Tunisian Women and the development of political efficacy", Susan E. Waltz, p21-36:-P22- "Tunisian women have been minimally involved in the country's public political life".... and a few women serving in the presidential cabinet and the National assembly. They remain just that, however examples as Ferchion observe. The changes which occurred in Tunisia have not changed the image of women, the role they play remaining the same and the traditional models being taken and updated by more modern socio-professional structures". "A woman is created for the home and children".... Meimissi was reminded of the relevant hadith: "They will never know prosperity, the people who confide their affairs to a woman." "In the pages that follow is a brief exposition of methods and Procedures used to study the experiences of 12 municipal council women elected in May 1985. Observations from that study are discussed to ascertain the role of feminine networks in promoting efficacy among women; no discussion from Quran & Hadith.

7) International Journal of Middle East Studies: Feb 1988, Vol.20, No.1. P221-243. "Women, work and ideology in the Islamic Republic", Val Moghadam. P227 -: However, women have retained the franchise not withstanding strong sentiments on the part of certain Islamic ideologies against female participation in politics."

"Women are allowed to run for parliament (at this writing there are 2 female parliamentarians) and hold administrative and supervisory posts in the public sector."

"Female Majlis (Parliament) deputies are quoted in the newspapers as protesting the suppression of women's rights as "Un-Islamic" and "Prejudicial". No discussion from theological point of view.

8) International Journal of Middle East Studies: Vol.19, Feb. 1987, No.1.P23-50. "Polermics on the modesty and segregation of women in contemporary Egypt", Valerie J. Hoffman-ladd. "The issue of women's proper role in society is a lively one in any country today, East or West." -Goes on to discussion of various scholars for and against the issue, and concludes "that if they be in an "Islamic regime' may prove somewhat less satisfactory for many Egyptian women, if it limits the scope of women's activities outside the home". P44 No information on legal aspect of leadership.

9) Model Islamic Constitution: Ghulam Mujtaba Saleem W. Ali Printing Press Karachi. 1st Ed; 10th 0ct 1989. -Under the chapter the president, P38: "a person shall not be qualified for the presidentship unless he is a Muslim...." No further information.

10) Islamic Concept of a Modern State: Dr Muhammad Shafique (a case study of Pakistan); Islamic Book Foundation; 1st Ed. Nov. 1987. -P21 Qualifications of an Amir (President): "He should be: 1) a Muslim 2) male....." No further information

11) Modern Islamic Thought: Inayat Hanud p110; Maududi supported a woman candidate, Fatimah Jinnah, in Pakistan presidential election of 1965, could attain this office although it was not desirable. (Herbeit Feldman: From crisis to crisis, Oxford 1972, p.73). Lawerance Ziny: The Ayyab Khan Era (Syracuse 1971) p.46-47. Bahaduri, "Jamal-i-Islam" p.74. Definding Maududis decision on canonical grounds.

APPENDIX 3

This includes those journals that state women cannot become Amir/Leader of a State but provide minimal proofs for substantiation.

1) The Nature of Islamic Political Theory, Muhammad Aziz Ahmad Ma'areef, Limited-Karachi-Pakistan, 1st ed. 1975.p.116-, under qualifications of elections: Mawardi-prescribed a number of qualifications for the electors. An elector should be:
a) Of male sex and full age. There is a saying of a prophet to the effect that "a people who appoint a woman as their head, will never prosper under her." qualifications of the candidates. According to Mawardi.....b) be of male sex and of full age this is added by later jurists like Baidavi and Ghazali.... No detail discussion on issue.

2) The Muslim Conduct of State, Dr Muhammad Hanudullali. 7th ed; Lahore 1977. p.252- Discusses women in Muslim Army. p.135- No mention of women under section: Head of State. p.153- under section of women: Head of State. Under section, Peaceful Settlement of International Differences: mentions: "According to abu Yusuf, the following categories of people are not fit to be selected as arbitrators: viz: Muslims punishment for scandalising respected ladies, minors, women......"

3) Islamic Law and Constitution: Abulala Maududi. Islamic Publications, Ltd. Lahore. 4th Ed; 1969.
a) Under section: rulers and their qualifications: P233
b) Should be male: The Quran says:"men are in charge of women: (14:59) and the Prophet declares: "Verily, that nation would not prosper which hands over the reins of it's government to a woman". Bukhari-al-Sahihi No further information on issue.

APPENDIX 4

RIGHTS OF PARENTS - MOTHER AND FATHER

1. Worship Allah, treat parents well and serve them; Q.Bani Israel, 3.

2. Do not speak harshly to them; Q.Bani Israel, 3.

3. As 1; Q.Baqarah, 10.

4. As 1; Q.Nisaail, 6.

5. Treat them well; Q.Anaam, 19.

6. How to speak to parents? Tafseer Dur Mansoor, Vol.4, p.171.

7. Can one fulfill the rights of parents; Tafseer Ibn Khatheer.Vol.3, p.35.

8. Difficulty which parents bear; Q.Luqman, 2.

9. As 1; Q.Ankabooth.

10. When not to obey parents; Tafseer Ibn Khateer.Vol, 3.p.445.

11. Status of parents; Miskhat, p.58, Bukhari and Muslim.

12. Treatment of mother to be better than of the father; Miskhat, p.418, Bukhari and Muslim.

13. Via the mother or father one can go to Jannat/Jahannum; Miskhat, p.421, Ibn Maja.

14. Allah's pleasure lies in the mother and father; Dur Mansoor.Vol,4.p,172.Hakim/Bahaqi.

15. To enter Jannat due to serving father; Miskhat, Vol.4, p.173, Hakim and Bahaqi.

16. To see mother/father, parents with mercy earns reward of an accepted haj; Miskhat, p.421, Bahaqi.

17. To see father is ibaadat; Dur Mansoor, vol.4, p.173, Bahaqi.

18. If you treat parents well, your child will treat you well; Musdarkh Hakim, vol.4, p.154.

19. Fathers prayer is surely accepted; Miskhat, p.145, Tirmidhi- Ahmed-Ibn Maja.

20. Examples of good treatment to parents; Tafseer Dur Mansoor, vol.4, p.171, Marwayia.

21. Good treatment of parents causes increase in sustenance and life longevity; Ibid, vol.4, p.173, Bahaqi.

22. To earn and to spend on parents is rewarding; Ibid.

23. Serving parents is superior to optional Jihaad; Miskhat, p.331, Bukhari and Muslim.

24. Jannat at their feet; Miskhat, p.421, Nisai-Ahmed-Bahaqi.

25. To take permission from parents before going out for Jihaad; Dur Mansoor, vol.4, p.175, Ahmed and Hakim.

26. To make the parents laugh as you made them cry; Musdarkh Hakim, vol.4, p.153, Abu Dawud.

27. The reward of laughing in front of parents and to make them laugh; Dur Mansoor, vol.4, p.173, Bahaqi.

28. Serving parents reward is not less than optional Haj or Umra; Dur Mansoor, vol.4, p.173, Bahaqi.

29. Disobeying parents is from amongst major sins; Miskhat, p.17, Bukhari.

30. Disgraced is one who due to his parents does not enter Jannat; Miskhat, p.418, Muslim.

31. Door of Jannat is opened for one who is obedient and the door of Jahannum is opened for one who is disobedient to parents; Miskhat, p.421, Bahaqi.

32. To look at parents from the side of the eyes is counted amongst bad behaviour; Dur Mansoor, vol.4, p.171, Bahaqi.

33. To swear parents is a major sin; Miskhat, p.419, Bukhari and Muslim.

34. One who curses parents is himself accursed; Bukhari, p.15. 35. one who troubles parents upon him is the curse of Allah; Dur Mansoor, vol.4, p.175.

36. One who kills his parents will be put under the worse punishment; Miskhat, p.421, Bahaqi.

37. One will receive the punishment in this world for harrasing the parents; Miskhat, p.421, Bahaqi.

38. One who troubles parents will not enter Jannat; Miskhat, p.420, Nisai and Darmi.

39. How to fulfill rights of parents after they die; Miskhat, p.420, Abu Daud and Ibn Maja.

40. To pray for parents; Miskhat, p.132, Muslim.

41. Disobedient child classified as obedient if he prays for parents and seeks forgiveness for them; Miskhat, p.421, Bahaqi.

42. Due to children's prayers parent's status increases in Jannat; Miskhat, p.205, Ahmed.

43 .To give on behalf of parents' charity; Bukhari, p.21.

44. To spend on behalf of deceased parents; Miskhat, p.129, Abu Daud.

45. The blessing on behalf of deceased parents reaches them; Miskhat, p.172, Bahaqi.

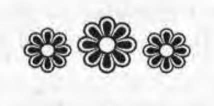
46. How a disobedient can become obedient to parents after their demise; Dur Mansoor, vol.4, p.174.

47. To perform Haj/Umra on behalf of parents: Miskhat, p.222, Tirmidhi, Abu Daud and Nisaai.

48. As above, who could not do so due to weakness; Miskhat, p.222, Bukhari and Muslim.

49. Treat Non-Muslim parents well; Bukhari, vol.2, p.884.

50. Make Jihaad for the benefit of parents; Ibid, p.883. (For more refernces see thesis itself).



APPENDIX 5
AL-NAML: THE ANT
(Q.17:44).

17) "And there were gathered together to Solomon, his armies of jinn and men and birds; and they were formed into distinct bands,

18) Until when they came to the valley of the ants, an i ant said: "O ants! Enter your dwellings, lest Solomon and his armies crush you while they are unaware of it.

19) And Solomon smiled, laughing at her words, and said: "My Lord! grant me that I should be grateful for thy favour, two of which thou has bestowed on me, and my parents; and to do such good works as would please Thee; and include me, through thy Mercy, among thy righteous servants." And he re-viewed the birds, and said: "How is it that I do not see Hudhud. Is he among the absentees?

23) I found a woman ruling over them, and she has been given everything (necessary for a sovereign) and she has a magnificent throne.

31) Do not exalt yourself against me, but come to me in submission."

34) She said: "Surely kings, when they enter a town, ruin it, make the noblest of its people to be low, and thus they will do (with us).

36) So when (the Queen's ambassador) came to Solomon, he said: "What! Will you help me with wealth? But that which Allah has given me, is much better than that which He has given you; Nay, but you rejoice in your (own) gift.

37) Return to them; we will surely come to them with hosts which they shall not be able to resist and we shall drive them out from their disgrace; and they shall be abased."

38) He Solomon said: "O nobles! Which of you will bring to me her throne, before they come to me surrendering?"

39) A stalwart from among the jinn said: "I will bring it to thee before thy rise from thy place, and indeed I am strong and trustworthy for such work."

40) One who had knowledge of the Book said: "I will bring it to thee in the twinkling of an eye". And when he saw (the throne) set before him, he said: "This is by the grace of my Lord, that he may try me, whether I am grateful or ungrateful;and he who is grateful (to Him) is grateful for the good of his (own) soul; and whoever is ungrateful, truly my Lord is Self-sufficient, Bounteous."

41) He (Solomon) said: "Alter her throne for her that we may see whether she follows the right way or is (one) of those who follow not the right way."

42) And when she came to (Solomon) it was said (to her): "Is thy throne like this?" She replied: "It is as though it were the same. And we were given knowledge before this (concerning your powers) and, we have already submitted."

43) And (all) that which she worshipped, besides Allah, prevented her (from the truth) for she came of a disbelieving people.

44) It was said to her: "Enter the palace!" And when she saw it, she deemed it to be a great expanse of water; and she uncovered her legs (by lifting up her robe) whereupon (Solomon) said to her: "It is a palace, paved smooth with glass." She said: "My Lord! I have wronged my soul (by worshipping false gods); and I submit myself with Solomon, to Allah the Lord of the Worlds." (17-44)-

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5) Annals of the Early Caliph; William Muir, 1883. London.

6) Bahr Raiq: Zaynul Abidin Ibn Nayeem Misri: (.., 990)

7) Bukhari; Imam Muhammad b.Ismail Bukhari; Qadimi Kutub, Khana Karachi.

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13) Ibn Maja: Abu Abdi ilah Muhammad ibn Yazid ibn Majaal-Qazwni; Qadimi Kutub Khana Karachi.

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15) Iqra Digest; Ml.Y.Ludhavi; Shabaan; 1409. March/April 1989, pp.115-116, Karachi.

16) Izalatul Khifa; Vol.2, Shiyalkot Academy Lahore? Shah Waliullah.

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21) Mariful Quraan; Mufti Muhammad Shafi; Vol.2, Idara Marif; Karachi.

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Solution to the Challenges Facing Female Education

Forward

The following points are to be noted:

1. The respected Mufti Muhammad Zaid (Mufti and Ustaadh at Jaami=ah Hatora in Baanda) has exhaustively researched thousands of sayings of Hakeemul Ummah, Hadhrat Maulana Ashraf Ali Thanwi (رحمه الله تعالى). This book is a compilation of those selected excerpts that pertain to female education. It was the practice of Hadhrat Hakeemul Ummah that whenever a question was posed, he would not leave any facet of the question unclarified. Consequently, his various works discuss the details concerning many challenges facing female education. Included amongst these are:

- Solutions to certain hypothetical situations that are prone to arise.
- The syllabi that females should follow.
- Harmful and favourable academic situations.
- The restrictions and conditions that apply to Deeni (religious) and secular studies.
- The method of establishing schools.

Al'hamdu Lillah, the service that Hadhrat Maulana Thanwi (رحمه الله تعالى) has rendered to the Ummah has now been presented in a comprehensive booklet for easy reference. The Ulema and heads of educational institutes are urged to implement the advice and guidelines expressed in the booklet when educating females. When a sincere effort is made in these lines, the various challenged facing the question of female education will be solved.

2. It may have occurred to many scholars of Deen that the need exists for all the lectures and books of Hakeemul

Ummah (رَحِمَهُمُ اللهُ تَعَالَى) to be collected and for treatises to be prepared on various subjects, based on what these contain. These should then be published as separate books dealing with each subject. With Allaah's grace, this series has already been started and the following are the books that have been published in this regard (in Urdu):

- Knowledge and Ulema (which deals with the system of Madaaris).
- The rights of the teacher and the student, and the method of teaching and nurturing.
- The principles and codes of the Hanafi school of jurisprudence.
- The etiquette of passing legal rulings (Fataawa) and of seeking rulings.
- A final word on Taqleed and Ijtihaad.
- The etiquette of lecturing and writing.
- Subjects, sciences and academic syllabi.
- The successful Islaamic marriage.
- Simplified teaching and an easy manner of reforming the public.
- The principles of social interaction.
- Female education.
- The principles and etiquette of Da'wah and Tableegh.
- Reformation of women and the upbringing of children.

Books on numerous other subjects are presently under publication.

Chapter One

The Necessity of Imparting Islaamic Education to Females

Experience has proven that the presence of many Ulema amongst men does not fulfil the Deeni (religious) necessity of women. There are two reasons for this. The first is that it is practically impossible for women to learn from Ulema because they have to conceal themselves from strange men (pardah/hijaab). Many women do not have such men in their homes that could accuire the necessary information from the Ulema. There are also many homes wherein the men have no regard for the Deen and would not make the necessary queries for the womenfolk. Even if it occurs that a woman=s father, brother, son or uncle is an Aalim, there are many rulings that she would be unable to ask them for reasons of modesty. Of course, a woman may pose such questions to her husband who is an Aalim, but it is impossible for every woman to marry an Aalim. There is therefore no way to resolve the matter for women in general, except that some women are educated enough so that other women may pose their questions to them. It is therefore Waajib for some women to be formerly educated because the means to a Waajib is also Waajib.[1]

Educating Females is More Important than Educating Males

Educating females in Islaam is extremely necessary in nurturing children because if a woman is not educated in Islaam, she will have an adverse effect on men even. Since children grow up in the laps of their mothers, the character and morality of the mother will have a great impact upon

[1] [Islaah Inqilaab, Vol.1 Pg.265]

the personality of any growing boy. In fact, wise men have mentioned that although an infant may be unable to speak, every word and deed is imprinted in his/her mind. Therefore, nothing inappropriate should be said or done in front of such a child. Certain wise men have also mentioned that even the actions of an expectant mother will have an impact upon the unborn child.

The Deeni instruction of women is more necessary than that of men because a man still has the opportunity to benefit from the company of the Ulema and saints who may reform him. Women do not have this opportunity because they have to remain indoors, which is best for them. It is therefore necessary that there be knowledgeable women so that this may facilitate the reformation of women in general. By only men becoming Ulema, total reformation of women cannot take place.[2]

The fault (of not reforming women) lies with the parents who did not arrange the means for and did not attach importance to the education of their daughters. May Allaah forgive?[3]

The Advantages of Educating Women in Matters of Deen

I can say on oath that when you educate your women in the matters of Deen, you will notice that their intelligence, understanding and dexterity will develop phenomenally, even in worldly matters. Those women who have been educated in Deen will be seen to have better understanding and intellect than women holding an M.A. degree. Of course, women educated in the secular field and who are well versed in English will excel the woman educated in Deen when it comes to matters like immodesty and

[2] At Tableegh Vol.14 Pg.164-166
[3] At Tableegh Vol.7 Pg.62

inventing tales. Words of intelligence will be seen to emerge more profusely from the lips of women who have been educated in Deen. Husbands always find faults with their wives but are never bothered to educate them in Deen.[4]

A Comparison between Islaamic Education and Modern Education

One will experience for oneself that no system of education and no code of practice teaches the affability and refinement that Islaamic education does. Therefore, a stark contrast will be noticed between a person who has been even slightly affected by Islaamic education and the person who has been fully indoctrinated by a modern culture. If someone terms culture to embody pretentiousness and ceremonious behaviour, then it is his mistake of terming something incorrectly. If there is any religious Muslim who portrays a deficiency in true cultural refinement, it would simply mean that he has not taken advantage of the Islaamic education he received.[5]

The Harms of not having Islaamic Education

People have sadly forsaken this (Islaamic) education and have chosen to study things that are detrimental to them. Not only is this beneficial and urgent education dwindling, but it is fast becoming extinct. As a result, morality has become corrupt. Although the essence of love, self-sacrifice and service to husbands may still be present in today=s women, they are still defiant and make terrible housewives because of a lack of religious education. It will be noticed that they carelessly say whatever they wish even

[4] At Tableegh Vol.16 Pg.31
[5] Islaah Inqilaab Pg. 270

though it may be hurtful to the husband, thereby kindling the raging fire of domestic fights. As a result, life at home becomes a sour experience for all.[6]

The Solutions to Problems that may Arise when Educating Females

Many scholars are of the opinion that educating females is dangerous because it may lead to many evils which need to be avoided. The example of this is like that of a person whose family suffered from cholera after he fed them something. Thereafter, he resolved never to feed them any food again, saying that food causes cholera. He then expresses the opinion that nothing can be as bad as food and drink. Therefore, if education seems harmful to someone, it is not the education itself that is at fault, but the manner in which it is imparted.[7]

If one has to focus on the resultant evils only, why should female education is singled out? If these evils are proven to arise from male education as well, why should female education is stopped and male education be allowed to prosper with such prominence?[8]

Educating Females is Compulsory for Men

Men do not regard the education of women to be their responsibility, whereas it is Waajib for them to impart the injunctions of Deen to women. Rasulullaah (ﷺ) has mentioned in a hadith, each one of you is responsible and will be questioned about his responsibility (on the Day of Qiyaamah).

[6] At Tableegh Vol.7 Pg.82
[7] Huqooquz Zowjain Pg. 316
[8] Islaah Inqilaab Pg.268

Every man is in charge of his family and will be asked whether he fulfilled the rights of those under his charge. Merely feeding and providing shelter for one=s family is not sufficient because this only fulfils their needs in this world. Discharging this responsibility will not fulfil the right owed to them because this does not transcend beyond this world. Consequently, Allaah has defined man's responsibility in the following words: **O you who believe! Save yourselves and your families from the Fire (of Jahannam).** [9] i.e. instruct them well in the rights they owe to Allaah and ensure that they fulfil these.

Saving one's family from Jahannam means that they should be admonished. Some people inform their families what to do but then remain complacent. They resign themselves saying, I told those ten times, but they do not listen. Now what can I do?

The tragedy of the matter is that men have not regarded the necessity of Deen to be a true necessity. They regard food to be a necessity and fashion to be a necessity. They are conscious of the slightest harm that occurs to their worldly lives but fail to understand how grave any harm that is caused to their Deen is. Even if the harm does not affect their Imaan, they stand to suffer intolerable punishment in the Hereafter although the punishment may not be eternal. However, if the harm affects their Imaan, they will be condemned to an eternal punishment in the Hereafter. It is indeed astonishing that people never neglect their worldly affairs but are totally negligent of Deeni matters.[10]

The hadith dictates that adults should be guardians over the young and will be questioned about this task. As far as possible, a man should teach his own family or a woman should teach other women. It is also necessary that they

[9] Surah Tahreem (66), verse 6

[10] Huqooquz Zowjain Pg. 35 (Pakistan print), Da=waat Abdiyyah Pg. 170

remain dutiful to the cause of teaching. There is no other alternative.[11]

Depriving Women of Education is a Grave Injustice

It has become commonplace nowadays that the first question a man asks upon entering the home is, AIs the food ready? If the food has been prepared and the salt happens to be extra, an earthquake strikes the home. The problem today is that men neither have concern for the religious welfare of women, nor for their material welfare. All they concern themselves with is fulfilment of their own pleasures. They are only interested in extracting services from their wives, making them slave over the stove and sew clothes. They care neither about the religiousness nor the comfort of women and prefer that they remain ignorant. This is an extremely grave injustice.

We should endeavour to perfect ourselves as well as our wives. The method of accomplishing this has been clarified in the verse of the Qur'aan i.e. acquiring the knowledge of Deen and then practising it.[12]

The Hadith Concerning Seeking Knowledge

Rasulullaah (ﷺ) has mentioned in a hadith, seeking knowledge is Fardh (obligatory) upon every Muslim. The additional words AMuslim male and female is not authentic, even though it would lend a clearer meaning to the hadith. Some unwary people have added these words to the hadith. Although this addition will not affect the purport of the hadith, the additional words remain unauthentic. I have deduced necessity of female education from the

[11] Da=waat Abdiyyah Vol.17 Pg.89
[12] At Tableegh Vol.14 Pg.23

general context of Qur'aanic verses, although the general and specific implications of the Qur'aan and Ahadeeth support this opinion.[13]

Teaching the Arabic Syllabus to Females

I am not opposed to educating females and feel that they should receive Islaamic education. If the interest is keen, they should be taught Arabic[14]. I have stipulated a keen interest because learning Arabic requires more effort and understanding. It is a fact that men a capable of becoming an embodiment of all sciences, while women generally do not have this capacity. Being an embodiment of all the sciences requires great determination, which is found lacking in women.

Nowadays, people's intellect has become corrupt and everyone wants freedom. Women do not want to be second to men, aspiring to master every field. They do seem to be extremely progressive in writing and journalism. It is incorrect to state that every science is beneficial and that every person has the ability to attain proficiency in every field. A man has been endowed with the capacity to be proficient in all fields; a feat that no woman can match. The result of striving towards this end has left women bereft of the attributes that are supposed to be found in them. This is witnessed on a daily basis.[15]

It is best that women are encouraged to pursue Arabic studies[16] if the ability is detected within them after completing the fundamental (primary and secondary) education. In this manner, they will be able to understand

[13] At Tableegh Vol.14 Pg.286

This refers to the Islaamic syllabus taught at the Daarul Ulooms and not only the study of the Arabic language.

[15] At Tableegh Vol.7 Pg.67/68

[16] This refers to the Islaamic syllabus taught at the Daarul Ulooms and not only the study of the Arabic language.

the Qur'aan, Ahadeeth and Fiqh in their original language. I believe that teaching girls only the translation of the Qur'aan will adversely affect their understanding of many matters and is therefore not suitable for most of them.[17]

Women Memorising the Qur'aan

Boys and girls should be given Islaamic education from the time they are able to understand. A great asset like the Qur'aan must certainly be taught to them and should never be regarded as a waste of time. If they are unable to memorise the entire Qur'aan, half the Qur'aan or at least the last Manzil of the Qur'aan should be learnt. The concise Surahs contained in the last Manzil will prove invaluable for performing salaah and will not even take much time to learn. Daily experience proves that the minds of children who memorise the Qur'aan are more suited to learning than others.[18]



[17] Islaah Inqilaab Vol.1 Pg.273
[18] Huqooquz Zowjain

Chapter Two

Which Sciences and Books should Females Study?

I maintain that females should be given Islaamic education. They need to be taught Fiqh and Tasawwuf as well as the translation of the Qur'aan together with its Tafseer (commentary). In this way, they can be reformed both externally and internally. Females should be taught such books that inculcate fear for Allaah, an aspiration for Jannah and fear for Jahannam. Such books have a wonderful effect on women.

Therefore, I wish to reiterate that, as much as is required, women should definitely be given what is termed as Aold (orthodox) education@. This form of education will correct their character, thereby ensuring their well being in this world as well as in the Hereafter. It will also ensure that their beliefs are correct together with their habits, social interaction and behaviour.[19]

It is necessary that children are taught the Aold@ education (Islaamic education) instead of modern (secular) education so that Islaamic education permeate every vein and tissue of their bodies. Only then will one see how decent, competent, well mannered, religious and intelligent they turn out to be.[20]

A Fundamental Principle

The debate ensuing concerns what type of education should be imparted. In brief, Islaamic education takes priority. Of course, it is also necessary that one be able to manage domestic finances and know how to read and write.

[19] At Tableegh Pg.63 and 72
[20] At Tableegh Pg. 80

However, if these studies are pursued to attain mastery in them, it will only be allowed if it is not harmful. The evils of secular knowledge are all too apparent nowadays which should never be part of any education. Similarly, (we should avoid) any education that causes harm to Deen. On the contrary, Islaam education is free from all harms. How can it have any harms when we notice the great virtues and benefits of it?[21]

The Syllabus for Women

It is necessary that a dependable Aalim structure be the educational course to be followed by females. People must not structure a course based on their personal opinions.[22]

A main feature of the female syllabus should be that they are taught to recite the Qur'aan as properly as possible. They should also be taught Islaamic books that present every aspect of Deen in simple language. In my opinion, the ten parts of ABehishti Zewar@ is sufficient for this purpose. The last part of ABehishti Zewar@ contains the titles of other books that will prove beneficial for women to study. If they are unable to study all of these, the necessary amount should be learnt and the rest must be studied later. One should never ignore a beneficial book.[23]

Women should be given books that include sufficient details concerning every aspect of Deen. These books must include notes on beliefs, wudhu, cleanliness, impurities, salaah, fasting, hajj, marriage, zakaah and trade. At the same time, these books must include guidelines on character reformation, etiquette and good conduct. This is the responsibility of men, about which they will be taken to task.[24]

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[21] Huqooquz Zowjain Pg. 307
[22] At Tableegh Vol.12 Pg.234
[23] Islaah Inqilaab Vol.1 Pg.272
[24] Huqooquz Zowjain Pg. 102

A syllabus for females should include books that contain:

A Summary of the Syllabus for Females and the Importance and Advantages of Behishti Zewar

The fundamental Islaamic beliefs.
1)The necessary Islaamic laws pertaining to salaah, fasting, zakaah, hajj, marriage, divorce, trade, etc.
2)Incidents pertaining to Qiyaamah (relevant Ahadeeth).
3)Brief biographies and narratives of pious women.
4)Basic skills such as sewing, knitting, cooking, etc which are necessary for managing a household.
5)Diagnosis and treating of common illnesses, which will be useful at home with the family.

These are the fundamental sciences that every female must be taught. ABehishti Zewar@ includes all of these. If anyone does not like Behishti Zewar, any other book containing these subjects can be used. If anyone dislikes any part of ABehishti Zewar@, I gladly permit him to add or omit any part thereof on condition that the original text is reflected in a footnote and that the addition or omission does not contradict the Shari'ah.

If anyone writes a book like Behishti Zewar, I will announce to all my friends to forsake ABehishti Zewar@ and adopt this book. Otherwise, the writings of other Ulema can also be used if they contain the necessary aspects of Ibaadaat (worship), Mu=aamalaat (social interaction), encouragement to do well, warnings against evil, good character, cultured behaviour and mutual dealings.[25]

Chapter Three

Secular Subjects and Domestic Science

[25] Islaahul Yataama Pg.402

The education referred to as Amodern education is not at all suitable for women. However, certain subjects such as basic mathematics and domestic sciences (handicrafts) are suitable (in fact, necessary) so that a woman is able to earn something if she should be without a guardian at any time.[26]

Females and Secular Education

When I speak of education, I am not referring to acquiring an MA or a BA. What will a woman do with an MA It will only make her egotistical. There is also no necessity for her to acquire a BA because she is already a Bi (in Urdu, the word bi means woman), so why should she now want to become an A It has become a custom for people to have their daughters graduate as BA's and MA's. Are these women required to work that they acquire these degrees?

The Harm of Secular Education

Modern education is not education at all but rather a system to make people ignorant. It is extremely detrimental to women in particular. In fact, it is even worse than ignorance because ignorance does not have the serious detriments that this form of education has. A child needs to be taught from childhood. It is unfortunate that people in the cities impart modern education to their children from childhood, as a result of which the effects and repercussions of this education permeate every tissue of the child. Thereafter, no other form of education is found to have an effect on the child.

The example of little girls is like a soft pliable branch which will dry up, harden and remain for life in whichever position it is stuck in the ground. When a child is indoctrinated with a new system of education, she is taught a new culture, a new mode of dressing and a new way of

[26] Islaah Inqilaab Vol.1 Pg.270

life. The child then becomes fixed in this lifestyle and cannot be reformed in the future.[27]

Secular Education is the Gateway to Immorality

It is truly tragic that a great natural quality is being corroded. One will notice in the rural areas that when even a street sweeper or another menial worker is addressed by a man, she will turn her face away and reply by using signs e.g. if he asks for directions, she will merely point him in the right direction. If she is forced to reply verbally, she would be very brief and curt without using soft tones; like a person who is forced to talk. People in rural areas possess natural traits because there is nothing in their societies that would alter these.

Modesty is a natural trait in women. It is also and inherent qualities within women to avoid the company of strange men and to avoid all such talk and deeds that may lead to mutual attraction or drawing close each other. This is in fact the teachings of the Shari'ah. A study of the Qur'aan will reveal that a woman should behave in such a manner with strange men that her behaviour breeds aversion instead of affinity and love. Instructing women, Allaah Ta=aala states, **do not speak in alluring tones.**[28]

The Shari'ah conforms perfectly to the human=s natural disposition. However, it is tragic to note that people have drifted very far from natural human traits and regard evil as virtue. Modern secular education has needlessly led to people being captivated by useless subjects, ideologies and passions that have assumed the status of obsessions. May Allaah save us from this.[29]

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[27] At Tableegh Vol.7 Pg.80
[28] Surah Ahzaab, verse 32
[29] At Tableegh Pg.73 and 79

The Europeans and Americans Admit

No nation can excel the Europeans and Americans as far as educating their women is concerned. However, are concerned because women are competing with them on every level and are demanding rights equal to those of men. They are now also of the opinion that women should not receive secular education. (As a result of secular education), men can no longer expect any service from women. It is for this reason that divorce settlements are a daily occurrence and women are constantly waiting for court proceedings. Even though women may be at fault, most court rulings are passed against men because judiciaries generally regard women as the oppressed gender.[30]

Teaching Mantiq[31] and Philosophy to Women

Based on his experiences, a gentleman once prescribed that women should not be made masters of both logical sciences and traditional sciences. Logical sciences (like >Mantiq= and philosophy) should only be taught to men, while women should rather be taught traditional sciences (like Qur'aan and Ahadeeth).[32]

Another gentleman who is proficient in Arabic told me that he teaches Islaamic subjects as well as philosophy to his sons, but only Islaamic subjects to his daughters because the reformation of women lies only in sufficing with Islaamic education. Experience has proven that other forms of education are harmful for them.[33]

Teaching History to Women

[30] At Tableegh Vol.14 Pg.228
[31] The science of logic and reasoning.
[32] At Tableegh Vol.7 Pg.66
[33] At Tableegh Vol.14 Pg.170

If history is taught so that a child masters the subject, then what achievement is it to know when a certain king died? Is there any need to know which person became king during a certain year, or how many rivers flow in a particular country? Is there any need to know how many villages there are in a certain place, what kind of a city Calcutta is, or how much trade takes place in Mumbai?[34]

Nothing can benefit women as much as a sound knowledge of Deen. If they have to be taught some history, they should be taught the Seerah (biography) of Rasulullaah (ﷺ) and of pious people so that these may have a positive impact upon their character and behaviour. Nowadays, children are taught a myriad of stories which have a negative effect on them.[35]

Teaching Geography to Females

I see no benefit in teaching geography to females. If someone has to say that teaching the subject will enlighten their minds, I say that perhaps the only benefit of teaching the subject is that she will have no difficulty in running away because she will know exactly where the Ghaazi-Aabaad junction is and which road to take to Lucknow. She will know how far Delhi is and how many inns and restaurants to find there. She will then be able to stay wherever she pleases and travel as she wants. Is it not true that studying geography will make her task of running away easier? Please do tell me of any other benefits if there are?

(After hearing this, a man came forward and said that he had been teaching geography to many women but has now realised that it was sheer foolishness and will not do so in future.)

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[34] Huqooquz Zowjain Pg. 306
[35] At Tableegh Vol.21 Pg.81

I maintain that it is futile for men to teach the history of kings and geography.[36]

Speaking from experience, one gentleman used to say that history and geography does not benefit women at all. Today's youngsters do not accept the word the of the Ulema, but will have to accept the verdict of such people who think like them and who were forced to change their opinions after experience.[37]

It is best that Females are not educated in Geography and other Secular Subjects

The Qur'aan has described one of the features of women as oblivious and unwitting. It is therefore best for them to remain unmindful of the world. Allaah says, **Indeed those who slander chaste and unwitting believing women are cursed in this world and in the Hereafter.**[38] This verse does not mean that these women are innocent of blame because this would also be a praiseworthy trait in men. However, Allaah has not praised men in this manner in the Qur'aan (if it did have this connotation, it would have been used for men as well). Therefore, it follows that the verse implies that women are better off if they are oblivious of the world and its evils. This is best for them and safer because their Deen is in jeopardy if they have to be enamoured with the world.

The term **Aunwitting** means that they are not conniving and unaware of the vicissitudes of fortune governing affairs. An achievement for a woman is to be oblivious of the entire world except for her husband and family. This

[36] At Tableegh Vol.7 Pg.63 and Vol.14 Pg.169
[37] At Tableegh Vol.7 Pg.67
[38] Surah Noor (24), verse 23

trait is natural in a woman, but is being ravaged by people.[39]

Reading Novels, Magazines, Newspapers and Other Harmful Literature

Some people make women read novels and other books containing immoral and illicit stories. Others permit their womenfolk to read the same. The detrimental consequences of these books is evident before those who still possess modesty.[40]

If a person really wants to teach (Islaam) to his children he will have to ban novels in his home. These novels have already created terrible evils in the homes of respectable people.[41]

It has become a practice of today's women to purchase some Urdu books, a novel and a copy of The Miracles of the Prophet (ﷺ)'s family (an Urdu magazine). Only Allaah knows who started this practice. Women eagerly place orders for this magazine thinking that they will be rewarded for it since it contains many incidents of saints.

The miracle of the Saapan tree is another deceptive magazine that contains futile stories. Even more absurd is the fact that it is mentioned that Jahannam is forbidden for the person who reads some of these stories.[42]

In brief, Islaamic education should be given to women. They should never be taught geography and philosophy, while novels and magazines are most poisonous for them. They are extremely detrimental and destroy the chastity of a woman. To make matters worse, women tend to read such novels which totally corrupt their sense of morality. Such

[39] At Tableegh Vol.14 Pg.178 and Vol.21 Pg.82
[40] At Tableegh Vol.14 Pg.234
[41] At Tableegh Vol.21 Pg.82
[42] Huqooquz Zowjain Pg.21

novels have been the cause for embarrassing situations arising in many respectable households. However, their eyes have still not opened to the reality.

In comparison to the novels of today, I maintain that the old books of fictitious tales like the sweet-scented white flower and the four mystics (two Urdu fairy tales) were a blessing. Even though I would strongly advise people against those, they are still a thousand times better than today's novels because they do not corrupt moral values as novels do. Although those tales are fictitious, they contained strategies and tactics of acquiring one's goals that are exceptionally difficult to come by. For example, the prince reached the garden of sweet-scented white flowers when he met an evil spirit on the road, whom he took into his confidence. Taking pity on the prince, the spirit took him into the garden. In a like manner, these fairy tales speak of occurrences that are beyond the reach of man and can only be possible with Allaah's will.

On the other hand, the despicable novels of today illustrate such strategies that are easily accessible to any person. For example, a person promises a weaver's wife or a barber=s wife that he will pay them handsomely if they could arrange for him to meet with a certain woman he loves. Such women are easily bribed because they have no concept of Deen, modesty or honour. Any wealthy man can now easily employ this tactic. It is therefore not surprising when strange occurrences take place in society. For this reason, I regard novels to be much worse than tales like the sweet-scented white flower.

Safeguard your women from these filthy novels for Allaah's sake! Never allow novels to ever enter your home. If you should see them, burn them immediately because

they are extremely harmful and often destroy a woman=s chastity.[43]

Teaching Poetry to Girls

There are many Muslim women who buy books of poetry. It often occurs that many of the poems contained in these books are insulting towards Rasulullaah (ﷺ) while others even insult Allaah. Many of the poems in these books contradict the Shari'ah and are not permissible to recite.[44]

It has been noticed that girls are taught to sing poetry in certain areas. People regard this as poems of Tasawwuf that would reform their character. Not only is it improper to teach poetry to women, but it is an evil.[45]

It is a form of fornication to listen to the singing of a strange woman or of a young lad towards whom one may be sexually attracted. In fact, it is not even permissible to listen to a young boy recite the Qur'aan when a person fears sexual attraction.[46]

Teaching Women to Read and Write

Teaching girls to read and write neither haraam nor Waajib (compulsory). This should be determined according to the nature of the girl. If a girl is modest and not very daring, there will be no harm in teaching her to read and write because she will require this skill in her life. However, if a girl is known to be impudent and radical, and it is feared that literacy will sully her character further, she should not be taught to read and write. This is because abstaining from evil is more important than something which is not compulsory. This is the interpretation of the difference of

[43] Huqooquz Zowjain Pg. 101 and 315
[44] Huqooquz Zowjain Pg. 315
[45] At Tableegh Vol.7 Pg.82
[46] Da=waat Abdiyyah Vol.9 Pg.146

opinion that exists between learned men with regard to making women literate.[47]

A Word of Caution

There are many precautions that still have to be taken after educating women. One of these precautions is that a woman should never be allowed to write to another woman addressing the letter to the woman=s husband. Many people are able to ascertain the gender of a writer from the style of writing and even the personality of the writer can be assessed. It then occurs that an attraction occurs whereafter the man starts buying gifts for her whenever he returns from a journey. It is from here that evils begin to crop up.

Another precaution is that a woman should give the letters she writes to one of the men in her home to read so that they have no doubts or suspicions about her correspondence. Yet another precaution to be taken is that a woman should not write the address on the envelope by herself but should rather have a man of the household write it for her. The reason for this is that the government may institute a court hearing against a person for a spoiled postage stamp. In that case, the woman will not subpoenaed. An incident of this nature has occurred.[48]

Extremes that occur when Women are taught to Read and Write

There are people today who have swayed to one extreme by believing that literacy amongst women is haraam. On the other hand, there are those who created so much leeway that they publish articles penned by women along with the writer's complete name and address. There are therefore excesses swaying to both extremes.[49]

Chapter Four

[47] Islaah Inqilaab Vol.1 Pg.273 and At Tableegh Vol.1 Pg.231
[48] At Tableegh Vol.14 Pg.233
[49] [Ibid]

Liberally Minded Women should not be allowed to Teach

Muslim girls should be safeguarded against women who are too liberally minded. It has become the custom in many cities for female tutors to teach girls at their homes. This practice should be sternly halted. It constantly comes to my attention that a certain woman in Khanpur has run away or that someone's daughter has fled. These are all the results of the female tutors that visit people=s homes. This should not be allowed to happen.[50]

Many people employ the services of radical female tutors to educate their daughters. Experience has proven that a person is definitely affected by the character and interests of someone she associates with. This holds especially true when the associate is someone whom a person obeys and holds in high esteem. It is obvious that a teacher is an embodiment of these factors. Therefore, the radical nature of the tutor is certain to rub off on to the student.

In my opinion, the most salient features of a woman are modesty and an unassuming nature. This is the key to all good for her without which no good can be expected from her and no evil farfetched. Although the purport of the hadith Awhen you have lost modesty, do as you please@ is general, it applies more specifically to women. This is so because, without modesty, aman's intelligence may still curb him to an extent, but women are lacking in this.

Even if the teacher is not like this but the fellow students are, the detriments are sure to take their toll.[51]

Chapter Five

[50] Huqooquz Zowjain Pg.32

[51] Islaah Inqilaab Pg.271

Hadhrat Thanwi (رَحِمَهُ اللهُ تَعَالَىٰ)'s Opinion with Regard to Today's Schools and Madaaris

The ruling with regard to two factors has become apparent from the foregoing discussion. Both of these factors are spreading very rapidly at present. One of these is the establishment of public schools for girls. Just like the public madaaris (plural of madrassah), girls of various nationalities, classes and mentalities interact with each other on a daily basis. Despite the fact that the teachers may be Muslim, the girl is transported privately and remains in a place where she is secluded from men, have we not seen and experienced what a great effect took place on the character of girls who attend these institutions? This interaction has often proved to melt away the innocence of a girl. If the teacher happens to be a person with radical views and licentious behaviour, the example will be like keeping sweet delicate fruit with Karela (a bitter vegetable that tends to rapidly spoil others).

The other disturbing factor is when Muslim girls are placed under the care and tutelage of a female missionary, either on a daily or weekly basis, who uses the excuse of teaching some subject or skill to mix with the girls. Neither is a girl's chastity nor her Imaan safe in this situation.[52]

The Detriments of the Education Received during the Schooling Period

The education imparted these days through the schools and madaaris are fatally poisonous. I am not in favour of girls= madaaris even though they are under the supervision of Ulema. Based on experience, I would say that this should never ever be adopted. If you do not take heed to my word, you will have great regrets afterwards. Forsake the schools

[52] Islaah Inqilaab Pg.271

and madaaris and teach your girls at home. If you can impart Arabic education to them, SubhaanAllaah (it is a good thing). Otherwise, a basic Urdu education is sufficient. At the end of one of my discourses titled AHuqooqul Bayt, I have deliberated upon the subject in detail. It is worth studying the same.[53]

Respectable men have never favoured female educational institutions. Muslim females have generally been literate throughout the ages, but they received their education at home. They never attended educational institutions. By receiving her education at home, no harm can come to a girl because the teacher is pious, the girl is conscious of remaining aloof from male company and she receives her education in a secluded environment.

Experience has proven that schooling is extremely detrimental. Why is this so? People tend to ask about what can cause harm when the girls are transported to school in private vehicles and the schools are particular about segregating the sexes? I cannot pinpoint the reason for this, but experience has proven that girls's schooling is extremely detrimental. It leads to refractory behaviour, permissiveness and an aversion for veiling.

The greatest attribute of a woman is modesty, which is the key to all virtue. Without modesty no good can be expected from a woman and no evil is farfetched. The hadith is clear: AWhen you have lost modesty, do as you please.[54]

This is My Opinion and not a Fatwa

I cannot understand how a Maktab[55] can be established for girls as have been established for boys. Many incidents have convinced me that these establishments do not auger well. After evaluating the situation, there is no need to cite reasons. However, this is my opinion and not a Fatwa (legal

[53] Islaah Inqilaab Pg.271
[54] Huqooqul Bayt Pg.32
Primary and secondary madrassahs for Islaamic education.

ruling). If another method of education that is free of these detriments can be formulated, is must be implemented because women have to be educated. By education, I am referring to Islaamic education and not secular education.[56]

The Underlying Reasons behind the Evils Prevalent in Schools

The question of female education is indeed most perplexing. We have noticed that evils always surface wherever girl's madrassahs are established. Amorous glances are often exchanged and illicit talk is also common. Such incidents are becoming so widespread that even the elderly have become opposed to female education. However, this stance is wrong because this situation does not reflect a fault in female education, but in the administrators of the institutions concerned and the mode of instruction.

The underlying cause of the evils prevalent is the interaction with men. At the time of enrolment and examinations, mature girls come before the secretary and a panel of examiners. This causes hearts to flutter and gazed to stare, which is a grave matter. I would urge secretaries to avoid such situations.

It is lamentable that most of these institutes are governed by people who are generally bereft of Islaamic knowledge. It is because of this that the mode of instruction is incompetent and the syllabus is also deficient. If the secretary is a pious and religious person, the female teachers will stand in awe of him and there will not be any fear of corruption.[57]

[56] Al-Aaqilaatul Ghaafilaat Pg.324
[57] Islaahul Yataamaa Pg.404

The Conditions for Establishing a School and a Role Model of a School during the time of Hadhrat Thanwi (رحمه الله تعالى)

I have established a madrassah for girls in Thanabowan. The girls would gather at the home of a female teacher and I would see to their needs. However, I take so much precautions that I never encourage anyone to enrol their daughter in the madrassah. I have made it clear to the teacher that it is her responsibility to canvass for students and that she will be paid a higher salary for enrolling more students.

The madrassah has monthly examinations and sometimes as many as a hundred girls come home for examinations. My family (wife) or another female member of my family conducts the examinations (I do not do it myself). Sometimes the girls are not called home for exams but the examiner examines the girls at the madrassah. I only have the examination results before me and have no influence in the matter. All I do is allocate prizes in accordance with the results.

Al'hamdu Lillah, the madrassah is running smoothly in this manner and no evils have cropped up. When girls are to be educated they should not be gathered together but should be educated at their homes. However, this is generally difficult in today's times. If the girls have to be gathered somewhere, it must be ensured that men do not come into contact with them. A man must supervise through the agency of his close female relatives and should never even speak to the girls.

Another matter of importance is that the secretary should be a pious and religious person. Even if he is not like this, he should be made to look like such a person so that the female teachers may be affected by this piety.

This is my impression of female education. Apart from this, others may have their own personal experiences. It is not necessary that only I be followed.[58]

The Method of Teaching Females

The safest way of teaching girls is the method that has been employed since times bygone. This method entails that two or four girls gather to learn at a convenient venue. As far as possible, a female teacher who is prepared to teach without remuneration should be appointed to teach because her teaching will have more Barakah (blessings). However, there will be no harm done if a salary has to be paid. If such a female teacher is unavailable, a male of the household should teach them.[59]

With regard to the question of female education, if the man of the house is educated, he should teach the girls. Otherwise, if the lady of the house has the relevant knowledge, she should teach. If this is also not possible, the services of other pious women may be employed.[60]

The Method of Teaching Married Women

The best and easiest method is that a man acquires knowledge and then imparts the same to the women at home. If a man is not learned, he should make inquiries from the Ulema and then verbally pass these on to the women. Allaah has made Deen so easy and accessible that it can be acquired by mere speaking and listening.

The least that you can do is to fix a time when you should regularly read to the women books in Urdu (i.e. in one's home language) which contain the various injunctions of Deen. However, the book should first be sanctioned by a reliable Aalim. If this is not possible, one should ask about

[58] Islaahul Yataamaa Pg.102 and 404
[59] Islaah Inqilaab Pg.272
[60] Huqooquz Zowjain Pg.325

the relevant injunctions from Ulema and verbally transmit these to the women at home.[61]

(The essence of the matter is that) Husbands should teach their wives because when even one woman becomes learned she can educate many others.[62]

The Method of Teaching Illiterate Women

The easiest method of teaching women who are unable to read and write is to tell them a few relevant injunctions of Deen, principles of belief, pieces of advice and read to them some incidents of the pious from a book. Insha Allaah, it will not be long before they become educated without being literate.

If the Family Refuses to Listen

You should read books of Deen to your family. If not for a longer period, you should read to them for at least fifteen or twenty minutes a day. However, when you are reading do not see who is listening and who is not, and who is practising and who is not. You do what you are supposed to do. Start teaching them and continue reading every day even though everyone does not leave their places and come closer and they are all sitting scattered. Many people have reported that reformation has taken place by merely reciting from a book. Is the name of Allaah and His Nabi (ﷺ) less effective than a delicacy? If a delicacy affects the mouth by making it fill with water, will the names of Allaah and His Nabi (ﷺ) not produce an effect?[63]

[61] At Tableegh Vol.14 Pg.230
[62] At Tableegh Vol.21 Pg.166
[63] Huqooquz Zowjain Pg.331

Words of Advice to those Men who are teaching Girls

If a man is teaching the girls at home he should omit those injunctions that are embarrassing or have his wife explain it to them. If this is not possible, those sections of the textbook should be marked so that they can be accessed later when the girls have come of age. They will then be able to understand these by themselves. They may then inquire about these from their husbands if their husbands are Ulema. Otherwise, their husbands may make the enquiries from an Aalim on their behalf.[64]

Further Words of Advice with Regard to the Method of Teaching Females

The girls should be formally instructed. The manner of doing this is that they should be taught from a book that contains all the Islaamic subject matter that is relevant to them. These should be taught to them lesson by lesson. One should not merely give them the book and rest content (without actually teaching the lesson).

Women generally have a deficient and flawed understanding. They will either not understand anything from a book or understand only parts. It is therefore best that a time be fixed when a man gathers all the womenfolk of the household and teaches certain Deeni books to them. If he is unable to read, he should instruct them verbally. However, one should not lose sight of the objective of education. Their education should not merely be turning through the leaves of the book.

See that the students are practising every injunction that they learn. It is an accepted principle that something is not preserved in one=s memory only by learning, but by

[64] Islaah Inqilaab Pg.272

practising. If a female teacher is available, she should teach the necessary books to other ladies. Whatever the situation, one should never neglect to spare at least five or ten minutes daily because this will allow one to accomplish his goals.[65]

Together with formal education, something else is also very necessary i.e. to prevent the students from carrying out any act that is contrary to what was taught. In fact, if a student carries out an act contrary to what was taught, e.g. backbiting, ask for her book and point out to her the relevant section so that she may be warned thereby. If you continue doing this, the child will be brought up most excellently and will never have to be told anything.[66]

Another important factor is that when a syllabus is being formulated, one should never think that completing the syllabus once is sufficient. The students should be encouraged to read at least four pages, or even two pages daily like how Qur'aan is recited daily. Even if a lifetime is spent in this, one should never be discouraged.

Women can also become Authors

A book written by some woman once came to me. When I read it, I found it to be very beneficial and it did not contain any harmful subject matter. However, she had included her complete name and address at the end of the book. I was perplexed because if I endorsed the book as it was, I would be sanctioning the addition of her complete name and address contained therein. On the other hand, if I did not endorse the book, the question will arise as to what part of the book was incorrect so as to disqualify it for publication. It was in this perplexity that I struck upon an idea. I deleted her name and replaced it with the following text: AAuthor:

[65] Da=waat Abdiyyyah Vol.17 Pg.88
[56] Huqooquz Zowjain Pg.325

A bondmaid of Allaah. I then wrote in the endorsement of the book, This book is extremely fine and the most remarkable part of the book is that the writer is a woman of extreme modesty who has not even written her name in her book. This idea worked excellently because if she wanted to publish my endorsement in her book, she would have to omit her name. Alternatively, if she still wanted to include her name, she would have to exclude my endorsement. My neck was thus saved.[67]

A Woman should not include her Name and Address on any Book or Article

I cannot understand what is the purpose behind any woman including her name and address with any writing of hers. If she intends that some beneficial subject matter should reach other women, this will happen without her including her name. What can therefore be the reason?

Another calamity that has struck is that of educated women having their articles published in newspapers. In these articles, they include their names and addresses complete with street name and house number. It appears that this is done so that people may correspond with them if they are unable to meet personally. One wonders where the modesty of such women has disappeared and where the sense of honour of their husbands has been lost? How can they possibly tolerate this? One can only say that dispositions have been effaced.

It is totally inappropriate for women to write her name (or address) because she should have a relationship with her husband only.[68]

[67] At Tableegh Vol.7 Pg.71

[68] At Tableegh Vol.7 Pg.70 and 72